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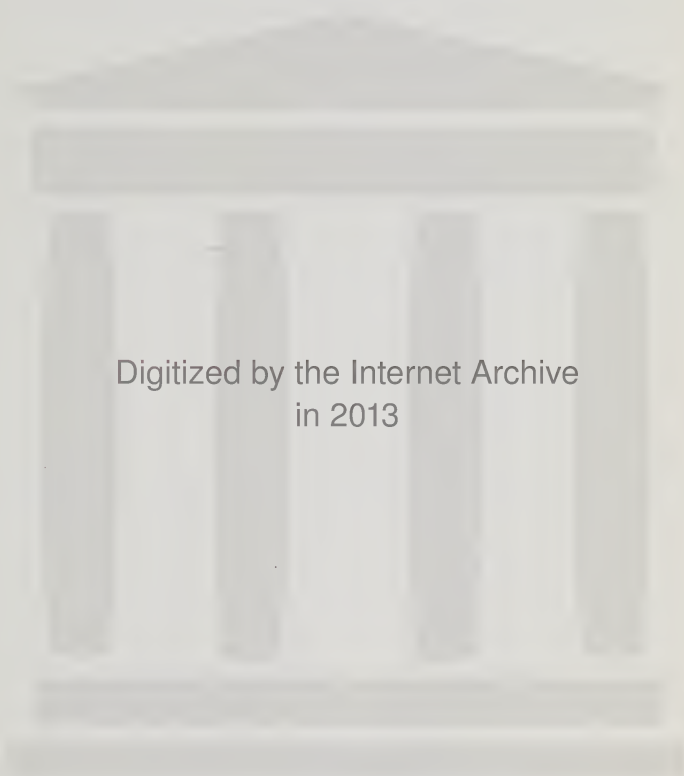
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JOURNALS

OF THE

COMMON COUNCIL

OF THE

CITY OF INDIANAPOLIS

FROM

OCTOBER 10, 1901 TO OCTOBER 12, 1903, INCLUSIVE

HARRY M. HALDEMAN, President

Resigned November 17, 1902.

JAMES H. BILLINGSLEY, President

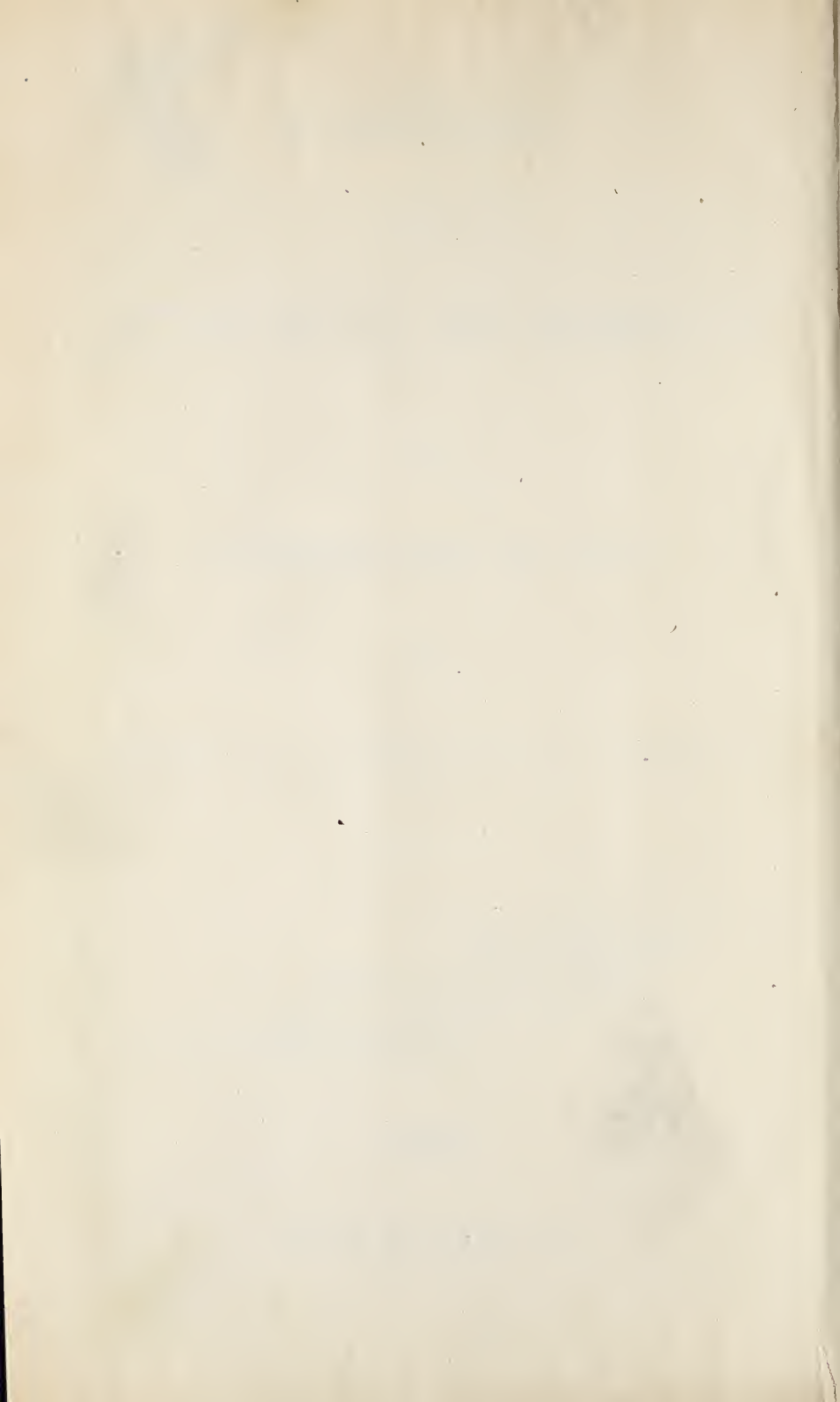
Elected December 15, 1902.

W. A. RHODES, Vice-President

CHARLES N. ELLIOTT, City Clerk



LEVY BROS & CO., INC., PRINTERS,
INDIANAPOLIS.



Roster of City Officers and Official Boards.

As provided for by the following entitled Act of the General Assembly of the State of Indiana, approved March 6, 1891:

“An Act concerning the incorporation of cities having more than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency.”

CITY OFFICIALS.

Mayor.....	CHARLES A. BOOKWALTER.
Private Secretary to Mayor.....	HARRY P. BRUNAUGH.
City Clerk.....	CHARLES N. ELLIOTT.
Deputy City Clerk.....	WILLIAM KAISER.
Judge Police Court.....	GEORGE W. STUBBS. (Resigned March —, 1903.) THOMAS C. WHALLON. (Appointed by Governor March 23, 1903.)
Superintendent of Police.....	GEORGE A. TAFTE.
Clerk to Superintendent.....	JOHN ISAACS.
City Comptroller.....	GEORGE T. BREUNIG.
Deputy City Comptroller.....	WILLIAM A. BOGARDUS.
City Attorney.....	FREDERICK A. JOSS.
Assistant City Attorney.....	LINN D. HAY.
Second Assistant City Attorney.....	WILLIAM J. TAYLOR.
Prosecutor Police Court.....	THOMAS C. WHALLON. (Resigned March 23, 1903.) GAYLORD R. HAWKINS. (Appointed March 23, 1903.)
City Civil Engineer.....	JAMES B. NELSON.
Superintendent of Parks.....	J. CLYDE POWER.
Superintendent of Streets.....	WILLIAM H. EVANS.
Assistant Superintendent of Streets.....	GUSTAV A. HALLER.
Sweeping and Sprinkling Inspectors—	HOWARD C. SMOCK. W. F. CARTER. CHARLES BROWN. DANIEL O'BRIEN.
Building Inspector.....	SAMUEL G. BARTEL.
Chief Clerk Assessment Bureau.....	SAMUEL P. STODDARD.
Chief Fire Department.....	CHARLES E. COOTS.
First Assistant Chief.....	JOHN T. GLAZIER.
Second Assistant Chief.....	THOMAS F. BARRETT.

OFFICIAL BOARDS.

BOARD OF PUBLIC WORKS.

Chairman.....HAROLD C. MEGREW.
EDWIN D. LOGSDON.
CHARLES MAGUIRE.
Clerk.....EUGENE HARRIS.

BOARD OF PUBLIC SAFETY.

Chairman.....WILLIAM E. ENGLISH.
(Resigned February 5, 1902.)
Chairman.....CONRAD KELLER.
(Elected February 5, 1902.)
ROBERT H. BRYSON.
(Appointed February 5, 1902.)
WILLIAM SCHOPPENHORST.
Clerk.....JOHN B. WOOD.

BOARD OF HEALTH AND CHARITIES.

President.....GEORGE H. F. HOUSE, M. D.
GEORGE D. KAHLO, M. D.
FREDERICK C. HEATH, M. D.
City Sanitarian.....EUGENE BUEHLER, M. D.
(And Secretary of Board.)
Clerk.....CHARLES A. CARTER.

BOARD OF PARK COMMISSIONERS.

President.....M. A. DOWNING.
GEORGE MERRITT.
ISAAC KING.
CHARLES E. COFFIN.
(Elected President January 3, 1903.)
FRED J. MACK.
(Appointed January 2, 1903.)

Officers and Members of the Common Council.

(Elected Tuesday, October 8, 1901.)

President	HARRY M. HALDEMAN. (Resigned November 17, 1902.) JAMES H. BILLINGSLEY. (Elected December 15, 1902.)
Vice-President.....	W. A. RHODES.
Clerk	CHARLES N. ELLIOTT.
Deputy Clerk.....	WILLIAM KAISER.
Sergeant-at-Arms.....	CHARLES F. DAWSON.

COUNCILMEN-AT-LARGE.

LEW W. COOPER.	HARRY M. HALDEMAN. (Resigned November 17, 1902.)
JACQUELIN S. HOLLIDAY.	JOHN L. McFARLAND.
HAROLD C. MEGREW. (Resigned October 11, 1901.)	WILLIAM H. WHEELER. (Elected November 4, 1901.)
EDWARD G. SOURBIER.	WILLIAM P. SPRAY. (Elected December 11, 1902.)

COUNCILMEN REPRESENTING THE FIFTEEN WARDS.

First Ward.....	HARRY E. NEGLEY.
Second Ward.....	JAMES H. BILLINGSLEY.
Third Ward.....	JOHN H. CRALL.
Fourth Ward.....	FREDERICK W. EPPERT.
Fifth Ward	ANDREW H. WAHL.
Sixth Ward.....	WILLIAM A. RHODES.
Seventh Ward.....	THOMAS A. WYNNE.
Eighth Ward.....	CHRISTIAN H. WARWEG.
Ninth Ward.....	MICHAEL J. SHEA.
Tenth Ward.....	JAMES D. MORIARTY.
Eleventh Ward.....	MICHAEL C. KELLY.
Twelfth Ward.....	BENJAMIN F. WYSONG.
Thirteenth Ward.....	JAMES E. BERRY.
Fourteenth Ward.....	GUSTAV J. T. MEYER.
Fifteenth Ward.....	JOHN WOLSIFFER.

Standing Committees.

Appointed October 18, 1901.

ACCOUNTS AND CLAIMS.

J. H. Crall.	H. C. Megrew.	M. C. Kelly.
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CONTRACTS AND FRANCHISES.

H. E. Negley.	L. W. Cooper.	J. S. Holliday.
J. L. McFarland.	E. G. Sourbier.	A. H. Wahl.
	G. T. J. Meyer.	

PUBLIC MORALS.

H. C. Megrew.	J. H. Billingsley.	G. T. J. Meyer.
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PUBLIC PROPERTY AND IMPROVEMENT.

J. H. Crall.	L. W. Cooper.	John Wolsiffer.
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PUBLIC SAFETY AND COMFORT.

E. G. Sourbier.	J. L. McFarland.	H. E. Negley.
B. F. Wysong.	A. H. Wahl.	

RAILROADS.

L. W. Cooper.	J. H. Billingsley.	J. H. Holliday.
T. A. Wynne.	John Wolsiffer.	

ELECTIONS.

L. W. Cooper.	J. L. McFarland.	J. E. Berry.
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FEES AND SALARIES.

J. H. Billingsley.	W. A. Rhodes.	C. H. Warweg.
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FINANCE.

T. A. Wynne.	J. H. Crall.	B. F. Wysong.
W. A. Rhodes.	J. E. Berry.	J. D. Moriarity.

RULES.

B. F. Wysong.	H. E. Negley.	J. D. Moriarity.
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SEWERS, STREETS AND ALLEYS.

J. H. Holliday.	F. W. Eppert.	W. A. Rhodes.
T. A. Wynne.	A. H. Wahl.	

INVESTIGATION AND IMPEACHMENT.

J. H. Billingsley.	E. G. Sourbier.	M. J. Shea.
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JUDICIARY.

H. E. Negley.	F. W. Eppert.	M. C. Kelly.
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ORDINANCES.

F. W. Eppert.	H. C. Megrew.	G. T. J. Meyer.
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PRINTING.

W. A. Rhodes.	J. H. Billingsley.	M. J. Shea.
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PUBLIC HEALTH.

J. L. McFarland.	J. H. Crall.	C. H. Warweg.
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STANDING COMMITTEES.

Appointed January 5, 1903.

ACCOUNTS AND CLAIMS.

L. W. Cooper.	H. E. Negley.	M. C. Kelly.
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CONTRACTS AND FRANCHISES.

J. H. Crall.	F. W. Eppert.	B. F. Wysong.
W. H. Wheeler.	E. G. Sourbier.	A. H. Wahl.
	G. J. T. Meyer.	

ELECTIONS.

E. G. Sourbier.	J. H. Crall.	J. E. Berry.
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FEES AND SALARIES.

W. A. Rhodes.	J. S. Holliday.	C. H. Warweg.
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FINANCE.

T. A. Wynne.	J. H. Crall.	F. W. Eppert.
L. W. Cooper.	B. F. Wysong.	J. E. Berry.
	J. D. Moriarity.	

JUDICIARY.

H. E. Negley.	J. L. McFarland.	M. C. Kelly.
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ORDINANCES.

W. P. Spray.	W. H. Wheeler.	G. J. T. Meyer.
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PRINTING.

L. W. Cooper.	T. A. Wynne.	M. J. Shea.
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PUBLIC HEALTH.

J. L. McFarland.	J. S. Holliday.	C. H. Warweg.
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PUBLIC MORALS.

W. H. Wheeler.	W. P. Spray.	G. J. T. Meyer.
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PUBLIC PROPERTY AND IMPROVEMENTS.

B. F. Wysong.	W. A. Rhodes.	J. Wolsiffer.
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PUBLIC SAFETY AND COMFORT.

E. G. Sourbier.	W. P. Spray.	W. A. Rhodes.
F. W. Eppert.	A. H. Wahl.	

RAILROADS.

F. W. Eppert.	E. G. Sourbier.	W. H. Wheeler.
B. F. Wysong.	J. Wolsiffer.	

RULES.

J. H. Crall.	H. E. Negley.	J. D. Moriarity.
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SEWERS, STREETS AND ALLEYS.

J. S. Holliday.	L. W. Cooper.	J. L. McFarland.
W. A. Rhodes.	A. H. Wahl.	

INVESTIGATION AND IMPEACHMENT.

T. A. Wynne.	W. P. Spray.	M. J. Shea.
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Calendar Sessions of the Common Council.

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Table of General Ordinances.

GENERAL ORDINANCES FROM OCTOBER 10, 1901, TO OCTOBER 5, 1903, INCLUSIVE.

Number.	Introduced and Read First Time.	By Councilman—	Nature.	Referred to Committee—	Committee Report.	Passed.	Approved by Mayor.	Remarks.
62	Nov. 4, 1901	Shea	Regula'g speed of electric st. cars	Railroads.	Jan. 20, 1902	Nov. 18, 1901	Nov. 20, 1901	Failed to pass.
63	Nov. 4, 1901	Wynne	Transfer of funds	Finance	Nov. 18, 1901	Nov. 5, 1901	Nov. 6, 1901	
64	Nov. 4, 1901	Bd. Pub. Wks.	Union Traction Co.	Contr. and Franchises	Nov. 18, 1901	Nov. 18, 1901	Nov. 20, 1901	
65	Nov. 4, 1901	Negley	Changing name of street.	Sewers, Sts. and Alleys	Dec. 16, 1901	Dec. 16, 1901	Dec. 24, 1901	
66	Nov. 4, 1901	Negley	Providing name for street.	Sewers, Sts. and Alleys	Dec. 16, 1901	Dec. 16, 1901	Dec. 24, 1901	
67	Nov. 7, 1901	Wynne	Bonds	Finance	Nov. 11, 1901	Dec. 2, 1901	Dec. 3, 1901	
68	Nov. 18, 1901	Wynne	Transfer of funds	Finance	Dec. 2, 1901	Dec. 2, 1901	Dec. 3, 1901	
69	Nov. 18, 1901	Negley	Vagrant boys and girls	Pub. Safety and Com.	Dec. 2, 1901	Dec. 2, 1901	Dec. 3, 1901	
70	Nov. 18, 1901	Negley	Pre'n't incar. boys & girls Sta. H.	Pub. Safety and Com.	Jan. 6, 1902	Jan. 6, 1902	Jan. 11, 1902	
71	Nov. 18, 1901	Hillingsley	Changing name of street.	Sewers Sts. and Alleys	Dec. 20, 1901	Feb. 7, 1902	Feb. 17, 1902	Failed to pass.
72	Nov. 18, 1901	Wynne	Public markets.	Pub. Property and Imp.	Jan. 6, 1902	Jan. 6, 1902	Jan. 11, 1902	
73	Dec. 2, 1901	Berry	Annexation	Ordinances.	Feb. 7, 1902	Jan. 6, 1902	Jan. 11, 1902	
74	Dec. 16, 1901	Crall	Salaries	Fees and Salaries.	Jan. 7, 1902	Jan. 7, 1902	Jan. 11, 1902	
1	Jan. 6, 1902	Billingsley	Amending smoke ordinance.	Pub. Property and Imp.	Jan. 7, 1902	Jan. 7, 1902	Jan. 11, 1902	
2	Jan. 6, 1902	Negley	Livery stables.	Judiciary	Jan. 7, 1902	Jan. 7, 1902	Jan. 11, 1902	
3	Jan. 6, 1902	Wheeler	Flagman at Ray and Dover sts.	Railroads.	Jan. 20, 1902	Jan. 20, 1902	Feb. 4, 1902	
4	Jan. 6, 1902	Moriarty	Rates for natural gas.	Of the Whole.	Feb. 3, 1902	Feb. 3, 1902	Feb. 4, 1902	
5	Jan. 6, 1902	Wolsiffer	Flagman at Bluff avenue	Railroads.	Mar. 3, 1902	Mar. 3, 1902	Mar. 7, 1902	
6	Jan. 6, 1902	Wynne	Transfer of funds	Finance	Feb. 3, 1902	Mar. 3, 1902	Mar. 7, 1902	
7	Jan. 6, 1902	Bd. Pub. Wks.	Switch across Van Buren street	Railroads	Feb. 3, 1902	Apr. 7, 1902	Apr. 11, 1902	
8	Jan. 6, 1902	Bd. Pub. Wks.	Switch across Madison avenue	Railroads.	Apr. 7, 1902	Apr. 7, 1902	Apr. 11, 1902	
9	Jan. 6, 1902	Soubier	Amend'g city m'ket master ord.	Judiciary	May 19, 1902			
10	Jan. 20, 1902	Warweg	Rates for electric light	Ordinances	June 2, 1902	Feb. 3, 1902	Feb. 4, 1902	
11	Jan. 20, 1902	Warweg	Flagman at New York street	Railroads	Feb. 3, 1902	Feb. 3, 1902	Feb. 4, 1902	
12	Feb. 3, 1902	Negley	Stock yards	Pub. Safety and Com.	Apr. 21, 1902	Apr. 21, 1902	Apr. 28, 1902	Stricken from files.
13	Feb. 3, 1902	Meyer	Flagman at Singleton street	Railroads	Apr. 21, 1902	Apr. 21, 1902	Apr. 28, 1902	
14	Feb. 3, 1902	Billingsley	Changing name of street	Sewers, Sts. and Alleys	Feb. 17, 1902	Feb. 17, 1902	Feb. 25, 1902	
15	Feb. 3, 1902	Shea	Treatment of consumptives.	Public Health	Mar. 3, 1902	Mar. 3, 1902	Mar. 5, 1902	
16	Feb. 17, 1902	Bd. Pub. Wks.	Marion Co'ty Hot Water H'g Co.	Contr. and Franchises	Mar. 17, 1902	Mar. 17, 1902	Mar. 17, 1902	
17	Feb. 17, 1902	Bd. Pub. Wks.	Switch across Lafayette street.	Railroads.	Apr. 7, 1902	Apr. 7, 1902	Apr. 11, 1902	
18	Feb. 17, 1902	Negley	Changing name of streets.	Sewers, Sts. and Alleys	Apr. 7, 1902	Apr. 7, 1902	Apr. 11, 1902	
19	Mar. 17, 1902	Bd. Pub. Wks.	I. S. & S'theastern Traction Co	Contr. and Franchises	Apr. 7, 1902	Apr. 7, 1902	Apr. 11, 1902	
20	Mar. 17, 1902	Bd. Pub. Wks.	Indianapolis Southern Railway	Contr. and Franchises	Apr. 21, 1902	Apr. 21, 1902	Apr. 28, 1902	
21	Apr. 7, 1902	Bd. Pub. Wks.	Switch across certain streets	Railroads.	Apr. 21, 1902	Apr. 21, 1902	Apr. 28, 1902	
22	Apr. 7, 1902	Bd. Pub. Wks.	Switch across McGill street	Railroads.	Apr. 21, 1902	Apr. 21, 1902	Apr. 28, 1902	
23	Apr. 7, 1902	Bd. Pub. Wks.	Switch across Sixteenth street	Railroads.	Apr. 21, 1902	Apr. 21, 1902	Apr. 28, 1902	
24	Apr. 7, 1902	Bd. Pub. Wks.	Switch across Ches. & Georgia st.	Railroads.	Apr. 21, 1902	Apr. 21, 1902	Apr. 28, 1902	

Table of General Ordinances.

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25	Apr. 7, 1902	Shea	Changing name of street.	Sewers, Sts. and Alleys	May 5, 1902	July 7, 1902	July 12, 1902
26	Apr. 7, 1902	Shea	Flag'n at Engl'h & Fletcher aves	Judiciary.	May 5, 1902	May 5, 1902	May 19, 1902
27	Apr. 7, 1902	Billingsley	Gas meters	Pub. Safety and Com.	June 16, 1902	June 16, 1902	June 18, 1902
28	Apr. 7, 1902	Billingsley	Scales, weights and measures	Contr. and Franchises.	Nov. 17, 1902	Nov. 17, 1902	Nov. 17, 1902
29	Apr. 7, 1902	Holliday	Rates for natural gas	Railroads	May 5, 1902	May 5, 1902	May 5, 1902
30	Apr. 21, 1902	Bd. Pub. Wks.	Switch across alley n. South st.	Public Safety and Com	June 2, 1902	June 2, 1902	June 2, 1902
31	Apr. 21, 1902	Crall	Speed of vehicles	Judiciary.	Feb. 16, 1903	Feb. 16, 1903	Feb. 16, 1903
32	Apr. 21, 1902	Negley	Plumbing Inspector	Sewers, Sts. and alleys.	June 2, 1902	June 2, 1902	June 2, 1902
32½	Apr. 21, 1902	Billingsley	Changing name of street	Railroads	June 2, 1902	June 2, 1902	June 2, 1902
33	May 5, 1902	Bd. Pub. Wks.	Switch across Fletcher ave	Public Morals	July 7, 1902	July 7, 1902	July 7, 1902
34	May 5, 1902	Kelly	Acco's g' fem., id'g and loit'g	Finance	July 7, 1902	July 7, 1902	July 7, 1902
35	May 19, 1902	Shea	Regulating fire force	Public Safety and Com	July 7, 1902	July 7, 1902	July 7, 1902
36	May 19, 1902	Wynne	Prev. dis'ance pu'n, gath'gs	Contracts and Fran	July 7, 1902	July 7, 1902	July 7, 1902
37	June 2, 1902	Bd. Pub. Wks.	Ind'pls, Leb. & Fra'kin Trac. Co.	Railroads	July 7, 1902	July 7, 1902	July 7, 1902
38	June 2, 1902	Bd. Pub. Wks.	Switch across 25th st	Contracts and Fran	July 7, 1902	July 7, 1902	July 7, 1902
39	July 7, 1902	Bd. Pub. Wks.	Merchants Heat and Light Co.	Contracts and Fran	Aug. 4, 1902	Aug. 4, 1902	Aug. 4, 1902
40	July 7, 1902	Bd. Pub. Wks.	Citizens Heat and Light Co.	Railroads	Aug. 4, 1902	Aug. 4, 1902	Aug. 4, 1902
41	July 7, 1902	Bd. Pub. Wks.	Switch in a id along Lou'ana st	Railroads	Aug. 4, 1902	Aug. 4, 1902	Aug. 4, 1902
42	July 7, 1902	Bd. Pub. Wks.	Switch across cer. sts. and alleys	Fees and Salaries	Aug. 18, 1902	Sept. 15, 1902	Aug. 11, 1902
43	July 7, 1902	Soubrier	Grading fire force	Sewers, Sts. and alleys	July 21, 1902	July 21, 1902	July 30, 1902
44	July 7, 1902	Wynne	Providing name for alley	Finance	Aug. 18, 1902	Aug. 18, 1902	Aug. 18, 1902
45	July 21, 1902	Wynne	Transfer of funds	Sewers, Sts. and alleys	Mar. 2, 1903	Mar. 2, 1903	Mar. 5, 1903
46	July 21, 1902	Rhodes	Changing name of street	Finance	Aug. 18, 1902	Aug. 18, 1902	Aug. 18, 1902
47	Aug. 4, 1902	Wynne	Bonds	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
48	Aug. 4, 1902	Wynne	Transfer of funds	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
49	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls Trac. & Terminal Co	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
50	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls Northern Traction Co	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
51	Aug. 4, 1902	Bd. Pub. Wks.	Union Traction Co of Indiana	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
52	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls, Green'd & Frank, R. Co.	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
53	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls, Leb. & Frank't Trac. Co	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
54	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls & Plain'd Elec. R. R. Co	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
55	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls & Mart'e Rap. Trans. Co.	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
56	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls, Shel'e & S-E, Trac. Co.	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
57	Aug. 4, 1902	Bd. Pub. Wks.	Ind'pls & Eastern Ry. Co	Contracts and Fran	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
58	Aug. 4, 1902	Shea	Flagman at Fletcher ave	Railroads	Aug. 18, 1902	Aug. 18, 1902	Aug. 19, 1902
59	Aug. 4, 1902	Wheeler	Annexation	Judiciary.	Aug. 14, 1902	Aug. 14, 1902	Aug. 16, 1902
60	Aug. 12, 1902	Bd. Pub. Wks.	Ind'pls Trac. & Terminal Co	Contracts and Fran	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
61	Aug. 18, 1902	Bd. Pub. Wks.	Lafayette & Ind'pls Rap. R. Co.	Contracts and Fran	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
62	Aug. 18, 1902	Bd. Pub. Wks.	Crown Hill Cemetery	Sewers, Sts. and alleys	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
63	Aug. 18, 1902	Negley	To reg'te and license for'e tellers	Public Safety and Com	Sept. 15, 1902	Sept. 15, 1902	Sept. 20, 1902
64	Aug. 18, 1902	Warweg	Ch-ning name of street	Sewers, Sts. and alleys	Sept. 15, 1902	Sept. 15, 1902	Sept. 20, 1902
65	Aug. 18, 1902	Warweg	Flagman E. North st	Railroads	Sept. 15, 1902	Sept. 15, 1902	Sept. 20, 1902
66	Sept. 8, 1902	Wynne	Transfer of funds	Finance	Sept. 26, 1902	Sept. 26, 1902	Oct. 2, 1902
67	Sept. 8, 1902	Bd. Pub. Wks.	Switch across 1st al. e. Rural st	Finance	Oct. 20, 1902	Oct. 20, 1902	Nov. 15, 1902
68	Sept. 8, 1902	Wynne	Tax Levy.	Railroads	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
69	Sept. 15, 1902	Bd. Pub. Wks.	Switch across Ky. ave. & How st.	Sewers, Sts. and alleys	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
70	Sept. 15, 1902	Bd. Pub. Wks.	Improvement Washington st	Sewers, Sts. and alleys	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
71	Sept. 15, 1902	Bd. Pub. Wks.	Improvement Virginia ave	Railroads.	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
72	Sept. 15, 1902	Bd. Pub. Wks.	Switch ac'ss War'n ave. and ally	Sewers, Sts. and alleys	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902
73	Oct. 20, 1902	Wahl	Changing name of street	Sewers, Sts. and alleys	Nov. 17, 1902	Nov. 17, 1902	Nov. 21, 1902

Failed to pass.

Vetoed by Mayor.

Failed to pass.

Vetoed by Mayor.

Failed to pass.

Stricken from files.
Stricken from files.

GENERAL ORDINANCES FROM OCTOBER 10, 1901, TO OCTOBER 5, 1903, INCLUSIVE—CONTINUED.

Number.	Introduced and Read First Time.	By Councilman—	Nature.	Referred to Committee.	Committee Report.	Passed.	Approved by Mayor.	Remarks.
74	Oct. 20, 1902	Wynne.....	To regulate sale of milk, etc.	Public Health.....	Dec. 1, 1902	Dec. 1, 1902	Dec. 3, 1902	
75	Nov. 17, 1902	Bd. Pub. Wks.	Switch across Kentucky ave.	Railroads.....	Dec. 1, 1902	Dec. 1, 1902	Dec. 3, 1902	
76	Nov. 17, 1902	Bd. Pub. Wks.	Switch across Michigan St.	Railroads.....	Mar. 16, 1903	Mar. 16, 1903	Apr. 6, 1903	
77	Nov. 17, 1902	Wynne.....	Transfer of funds.	Finance.....	Dec. 1, 1902	Dec. 1, 1902	Dec. 3, 1902	
78	Nov. 17, 1902	Wynne.....	Transfer of funds.	Finance.....	Dec. 1, 1902	Dec. 1, 1902	Dec. 3, 1902	
79	Nov. 17, 1902	Sourbier.....	Changing name of street	Sewers, Sts. and alleys	Dec. 1, 1902	Dec. 1, 1902	Feb. 2, 1903	
80	Dec. 1, 1902	Wynne.....	Transfer of funds.	Finance.....	Dec. 15, 1902	Dec. 15, 1902	Dec. 22, 1902	
81	Dec. 1, 1902	Bd. Pub. Wks.	John E. Christian.	Contracts and Fran.	Dec. 15, 1902	Dec. 15, 1902	Dec. 24, 1902	
82	Dec. 1, 1902	Sourbier.....	To prohibit persons getting on or off st. cars while in motion	Public Safety and Com.	Dec. 15, 1902	Dec. 15, 1902	Dec. 22, 1902	
83	Dec. 1, 1902	Negley.....	Switch across Minnesota st.	Judiciary.....	Dec. 15, 1902	Dec. 15, 1902	Dec. 22, 1902	
84	Dec. 15, 1902	Bd. Pub. Wks.	Repealing vehicle license.	Railroads.....	Jan. 5, 1903	Jan. 5, 1903	Jan. 12, 1903	
85	Dec. 15, 1902	Kelly.....		Finance.....	Feb. 2, 1903	Feb. 2, 1903		Vetoed by Mayor.
1	Jan. 5, 1903	Bd. Pub. Wks.	Citizens Heat and Light Co.	Contracts and Fran.	Feb. 2, 1903	Feb. 2, 1903	Feb. 10, 1903	
2	Jan. 19, 1903	Wynne.....	Livery stables	Public Safety and Com.	Feb. 16, 1903	Feb. 16, 1903	Feb. 20, 1903	
3	Jan. 19, 1903	Warweg	Pro'ing wag's st'ing on cer. sts.	Ordinances.....	Feb. 2, 1903	Feb. 2, 1903	Feb. 10, 1903	
4	Jan. 19, 1903	McFarland	Changing name of streets	Ordinances.....	Feb. 16, 1903	Feb. 16, 1903	Feb. 20, 1903	
5	Feb. 2, 1903	Bd. Pub. Wks.	Switch across cer. sts. and alley.	Railroads.....	Feb. 16, 1903	Feb. 16, 1903	Feb. 20, 1903	
6	Feb. 2, 1903	Sourbier.....	Salary of Clerk B. H. and C.	Railroads.....	Feb. 16, 1903	Feb. 16, 1903	Feb. 20, 1903	
7	Feb. 2, 1903	Mcyer.....	Repeating G. O. No. 82, 1902	Fees and Salaries.....	Feb. 16, 1903	Feb. 16, 1903		
8	Feb. 2, 1903	Wynne.....	Bonds.....	Ordinances.....	Feb. 16, 1903	Feb. 16, 1903		Vetoed by Mayor.
9	Feb. 16, 1903	Sourbier.....	Ward boundaries	Finance.....	Feb. 16, 1903	Feb. 16, 1903	Feb. 20, 1903	
10	Feb. 16, 1903	Sourbier.....	Changing name of street	Elections.....	May 4, 1903	May 4, 1903	May 13, 1903	
11	Feb. 16, 1903	Cooper.....	Reg'ing del'ry and mn'd'g brick	Ordinances.....	Mar. 16, 1903	Mar. 16, 1903	Apr. 6, 1903	
12	Mar. 2, 1903	Warweg	To amend G. O. No. 82, 1902	Sewers, Sts. and alleys.	Mar. 16, 1903	Mar. 16, 1903	Apr. 6, 1903	
13	Mar. 2, 1903	Holliday.....	Flagman Georgia st.	Ordinances.....	Mar. 16, 1903	Mar. 16, 1903	May 4, 1903	
14	Mar. 2, 1903	Holliday.....	Flagman Sixteenth st.	Railroads.....	May 4, 1903	May 4, 1903	May 9, 1903	
15	Mar. 16, 1903	Wynne.....	Fixing salary pres'n clerk and transfer of funds.	Railroads.....	May 4, 1903	May 4, 1903	May 9, 1903	
16	Mar. 16, 1903	Negley.....	Duties of City Clerk	Finance.....	Apr. 6, 1903	Apr. 6, 1903	Apr. 7, 1903	
17	Apr. 6, 1903	Bd. Pub. Wks.	Switch across Bethel ave.	Judiciary.....	Oct. 5, 1903	Oct. 5, 1903	Oct. 14, 1903	
18	Apr. 6, 1903	Shea.....	Reg'ing sp'd of loco'vs and cars.	Railroads.....	Apr. 20, 1903	Apr. 20, 1903	Apr. 25, 1903	
19	Apr. 6, 1903	Eppert.....	Changing name of street	Ordinances.....	Apr. 20, 1903	Apr. 20, 1903	Apr. 25, 1903	
20	Apr. 6, 1903	Wheeler.....	Flagman at 25th st.	Railroads.....	Apr. 20, 1903	Apr. 20, 1903	Apr. 25, 1903	
21	Apr. 20, 1903	Crall.....	Reg'ing run'g of loco'vs and cars	Railroads.....	July 20, 1903	July 20, 1903	May 9, 1903	Stricken from files.
22	Apr. 20, 1903	Bd. Pub. Wks.	Switch across 1st ally s. M're ave.	Railroads.....	May 4, 1903	May 4, 1903	May 9, 1903	
23	Apr. 20, 1903	Crall.....	Speed of automobiles, etc.	Public Safety and Com.	May 4, 1903	May 4, 1903	May 9, 1903	
24	Apr. 20, 1903	Billingsley.....	Speed of electric street cars	Public Safety and Com.	Oct. 5, 1903	Oct. 5, 1903	May 20, 1903	Failed to pass.
25	Apr. 20, 1903	Negley.....	Safety gates, etc.	Sewers, Sts. and alleys.	May 18, 1903	May 18, 1903	May 20, 1903	
26	May 4, 1903	Bd. Pub. Wks.	Switch across certain streets	Railroads.....	July 20, 1903	July 20, 1903	July 26, 1903	

27	May 4, 1903	Bd. Pub. Wks.	Switch across certain streets.	Railroads.	June 1, 1903	June 1, 1903	June 4, 1903
28	May 4, 1903	Bd. Pub. Wks.	Consolidated Traction Company.	Contracts and Fran.	June 1, 1903	June 1, 1903	June 4, 1903
29	May 18, 1903	McFarland	False alarms, etc.	Pub. Safety and Com.	June 1, 1903	June 1, 1903	June 4, 1903
30	May 18, 1903	Bd. Pub. Wks.	Switch across Fl'her & Sp'nn aves	Railroads.	June 1, 1903	June 1, 1903	June 4, 1903
31	June 1, 1903	Meyer	Amending dog ordinance.	Judiciary	July 6, 1903	July 6, 1903	July 8, 1903
32	June 15, 1903	Bd. Pub. Wks.	Switch across Ringgold ave.	Railroads	July 6, 1903	July 6, 1903	July 8, 1903
33	June 15, 1903	Bd. Pub. Wks.	Switch across Missouri street	Railroads	July 6, 1903	July 6, 1903	July 8, 1903
34	June 15, 1903	Eppert	Automobiles	Pub. Property and Imp.	July 6, 1903	July 6, 1903	July 8, 1903
35	June 29, 1903	Sourbier	Fixing precinct boundaries.	Elections	June 30, 1903	June 30, 1903	July 1, 1903
36	July 6, 1903	Wynne	Transfer of funds	Finance	Aug. 3, 1903	Aug. 3, 1903	Aug. 10, 1903
37	July 6, 1903	Bd. Pub. Wks.	Switch across certain alley & sts.	Railroads	Aug. 3, 1903	Aug. 3, 1903	Aug. 10, 1903
38	July 6, 1903	Moriarty	Petroleum, gasoline, etc.	Railroads	Aug. 3, 1903	Aug. 3, 1903	Aug. 10, 1903
39	July 20, 1903	Bd. Pub. Wks.	Switch across cert'n sts. & alleys	Pub. Property and Imp.	Aug. 17, 1903	Aug. 17, 1903	Aug. 19, 1903
40	Aug. 3, 1903	Negley	Req'gscr'nsonh'dl'hts elec. st.ers	Railroads	Aug. 17, 1903	Aug. 17, 1903	Aug. 19, 1903
41	Aug. 3, 1903	Eppert	Regulating keeping of chickens	Pub. Safety and Com.	Aug. 17, 1903	Aug. 17, 1903	Aug. 19, 1903
42	Aug. 10, 1903	Sourbier	Amending G. O. No. 35, 1903.	Pub. Safety and Com.	Aug. 17, 1903	Aug. 17, 1903	Aug. 19, 1903
43	Aug. 10, 1903	Sourbier	Amending G. O. No. 9, 1903	Finance	Aug. 10, 1903	Aug. 10, 1903	Aug. 19, 1903
44	Aug. 17, 1903	Wynne	Transfer of funds.	Finance	Aug. 25, 1903	Aug. 25, 1903	Aug. 19, 1903
45	Aug. 17, 1903	Wynne	Transfer of funds.	Finance	Aug. 25, 1903	Aug. 25, 1903	Aug. 19, 1903
46	Aug. 17, 1903	Bd. Pub. Wks.	Switch across certain alley.	Railroads	Sept. 7, 1903	Sept. 7, 1903	Sept. 1, 1903
47	Aug. 17, 1903	Bd. Pub. Wks.	Switch across cert'n sts. & alleys	Railroads	Sept. 7, 1903	Sept. 7, 1903	Sept. 8, 1903
48	Aug. 17, 1903	Bd. Pub. Wks.	Sun Vapor Street Light Co.	Contr. and Franchises.	Sept. 21, 1903	Sept. 21, 1903	Sept. 8, 1903
49	Aug. 17, 1903	Sourbier	Grading fire force.	Finance	Sept. 30, 1903	Sept. 30, 1903	Oct. 2, 1903
50	Aug. 17, 1903	Sourbier	Flagman and W. Market street.	Pub. Safety and Com.	Sept. 30, 1903	Sept. 30, 1903	Oct. 2, 1903
51	Aug. 17, 1903	Moriarty	Petroleum, gasoline, etc.	Ordinances	Sept. 7, 1903	Sept. 7, 1903	Sept. 8, 1903
52	Aug. 17, 1903	Kelley	Repealing vehicle ordinance.	Judiciary	Oct. 5, 1903	Oct. 5, 1903	Oct. 14, 1903
53	Aug. 25, 1903	Bd. Pub. Wks.	Ind'pls, L. & Chicago Ry. Co.	Contr. and Franchises.	Sept. 7, 1903	Sept. 7, 1903	Sept. 8, 1903
54	Aug. 25, 1903	Wynne	Bonds	Finance	Sept. 21, 1903	Sept. 21, 1903	Sept. 25, 1903
55	Sept. 7, 1903	Wynne	Transfer of funds.	Finance	Sept. 21, 1903	Sept. 21, 1903	Sept. 25, 1903
56	Sept. 7, 1903	Negley	Switch across alley e. of Rural st.	Railroads	Sept. 21, 1903	Sept. 21, 1903	Sept. 25, 1903
57	Sept. 21, 1903	Wynne	Transfer of funds.	Finance	Sept. 30, 1903	Sept. 30, 1903	Oct. 2, 1903
58	Sept. 21, 1903	Bd. Pub. Wks.	Switch across Ge'gia & Calif's sts	Railroads	Oct. 5, 1903	Oct. 5, 1903	Oct. 14, 1903
59	Sept. 21, 1903	Wynne	Tax levy.	Finance	Sept. 30, 1903	Sept. 30, 1903	Oct. 2, 1903
60	Sept. 21, 1903	Cooper	Voting machines.	Elections	Sept. 30, 1903	Sept. 30, 1903	Oct. 2, 1903
61	Sept. 21, 1903	Warweg	Changing name of street.	Ordinances	Sept. 30, 1903	Oct. 5, 1903	Oct. 14, 1903

Rules suspended.
Rules suspended.
Failed to pass.

SPECIAL ORDINANCES FROM OCTOBER 10, 1901, TO OCTOBER 5, 1903, INCLUSIVE.

Number.	By Councilman—	Nature.	Referred to Committee—	Committee Report.	Passed.	Approved by Mayor.	Remarks.
4	Eppert	Annexation.....	Ordinances	{ Apr. 7, 1902 } { May 5, 1902 }	.....	.....	Vetoed by Mayor.
1	Eppert	Annexation.....	Ordinances	June 16, 1902	June 16, 1902	June 18, 1902	
2	Eppert	Annexation.....	Ordinances	Jan. 5, 1903	Jan. 5, 1903	Jan. 12, 1903	
3	Wynne	To amend App. O. No. 16, 1902.	Finance	Dec. 17, 1902	Dec. 17, 1902	Dec. 22, 1902	
1	Sourbier	Annexation.....	Ordinances .....	.....	June 30, 1903	July 1, 1903	Rules suspended.
2	Sourbier	Amending Special O. No. 2, 1902 .....	.....	.....	Aug. 10, 1903	Aug. 19, 1903	

APPROPRIATION ORDINANCES FROM OCTOBER 10, 1901, TO OCTOBER 5, 1903, INCLUSIVE.

Table of Appropriation Ordinances.

Number.	Introduced and Read First Time.	By Councilman—	Account of—	Passed.	Approved by Mayor.	Amount.	Remarks.
16	Oct. 21, 1901	Wynne	Miscellaneous expense of city officers.	Nov. 4, 1901	Nov. 6, 1901	\$500 00	
17	Nov. 4, 1901	Wynne	To pay election expenses.	Nov. 18, 1901	Nov. 20, 1901	1,875 00	
18	Nov. 4, 1901	Wynne	To pay temporary loans.			196,455 38	Failed to pass.
19	Nov. 16, 1901	Wynne	To pay temporary loans.			196,455 38	Failed to pass.
20	Nov. 18, 1901	Wynne	For use Department of Public Works.	Dec. 2, 1901	Dec. 3, 1901	7,600 00	
21	Nov. 25, 1901	Wynne	To pay temporary loans.			196,455 38	
22	Nov. 25, 1901	Mortality	To pay temporary loans.	Nov. 30, 1901	Dec. 2, 1901	196,455 38	
23	Dec. 2, 1901	Wynne	For payment of "Fire Department and City Hospital bonds."	Dec. 16, 1901		18,199 48	
1	Jan. 22, 1902	Crall	For temporary hospital for care of smallpox cases			2,500 00	Failed to pass.
2	Jan. 30, 1902	Wynne	For temporary hospital for care of smallpox cases			2,500 00	
3	Jan. 30, 1902	Wynne	Contagious Disease Fund	Feb. 3, 1902	Feb. 4, 1902	2,000 00	
4	Mar. 3, 1902	Wynne	Contagious Disease Fund	Mar. 17, 1902	Mar. 21, 1902	3,000 00	
5	Mar. 17, 1902	Wynne	Contagious Disease Fund	Mar. 28, 1902	Mar. 29, 1902	2,000 00	
6	Mar. 17, 1902	Wynne	Department of Law	Apr. 7, 1902	Apr. 11, 1902	16,500 00	
7	Mar. 17, 1902	Wynne	Smallpox Hospital.			13,500 00	Failed to pass.
8	Mar. 28, 1902	Wynne	Contagious Disease Fund	Apr. 7, 1902	Apr. 11, 1902	5,000 00	
9	Mar. 28, 1902	Wynne	Payment of interest on Irvington bonds	Mar. 28, 1902	Mar. 29, 1902	220 00	
10	May 5, 1902	Wynne	Defray expenses of Memorial Day	May 19, 1902	May 22, 1902	200 00	
11	May 5, 1902	Wynne	Hospital for care of Incurable Diseases	June 2, 1902	June 9, 1902	1,000 00	
12	May 5, 1902	Wynne	Contagious Disease Fund	May 19, 1902	May 22, 1902	2,000 00	
13	May 5, 1902	Wynne	Enforcement of milk laws			750 00	Failed to pass.
14	June 2, 1902	Wynne	To pay damages account alley vacation	June 16, 1902	June 18, 1902	700 00	
15	June 2, 1902	Wynne	To pay on emergency bonds of 1901	June 16, 1902	June 18, 1902	8,730 35	
16	June 9, 1902	Wynne	Smallpox Hospital	July 7, 1902	July 12, 1902	13,500 00	
17	June 9, 1902	Wynne	Enforcement of milk laws	June 16, 1902	June 18, 1902	750 00	
18	June 9, 1902	Wynne	Contagious Disease Fund	June 6, 1902	June 18, 1902	2,000 00	
19	June 16, 1902	Wynne	Claim of C. K. Davis.	July 7, 1902	July 12, 1902	150 00	
20	July 7, 1902	Wynne	To pay interest on Irvington bonds	July 21, 1902	July 30, 1902	362 75	
21	July 21, 1902	Wynne	Police Pay-Roll Fund	Aug. 18, 1902	Aug. 18, 1902	2,065 50	
22	July 21, 1902	Wynne	Contagious Disease Fund	Aug. 4, 1902	Aug. 11, 1902	2,000 00	
23	Sept. 8, 1902	Wynne	To purchase appliances for inspection of scales, weights and measures.	Sept. 15, 1902	Sept. 20, 1902	1,000 00	
24	Sept. 8, 1902	Wynne	To defray current expenses of city government	Sept. 26, 1902	Oct. 2, 1902		
25	Dec. 1, 1902	Wynne	Payment of interest on emergency bonds of 1901	Dec. 15, 1902	Dec. 22, 1902	3,375 00	
26	Dec. 15, 1902	Wynne	Rebate on Benjamin Kersting's liquor license	Jan. 5, 1903	Jan. 12, 1903	138 88	
1	Feb. 2, 1903	Wynne	Contagious Disease Fund.	Feb. 16, 1903	Feb. 20, 1903	5,000 00	
2	Feb. 16, 1903	Wynne	To pay assessment for construction of Michigan st. sewer	Mar. 2, 1903	Mar. 5, 1903	4,000 00	
3	Mar. 2, 1903	Wynne	For purchase of safe for City Comptroller's office.	Mar. 16, 1903	Apr. 6, 1903	1,000 00	
4	Mar. 16, 1903	Wynne	Contagious Disease Fund.	Apr. 6, 1903	Apr. 7, 1903	5,000 00	
5	Mar. 16, 1903	Wynne	Salary account, Public Health and Charities	May 18, 1903	May 20, 1903	620 00	

APPROPRIATION ORDINANCES FROM OCTOBER 10, 1901, TO OCTOBER 5, 1903, INCLUSIVE—CONTINUED.

Number.	Introduced and Read First Time.	By Councilman—	Account of—	Passed.	Approved by Mayor.	Amount.	Remarks
6	Apr. 6, 1903	Wynne	Contagious Disease Fund	Apr. 10, 1903	Apr. 13, 1903	5,000 00	
7	Apr. 6, 1903	Wynne	Building over Market Place	Apr. 20, 1903	Apr. 25, 1903	30,000 00	
8	Apr. 10, 1903	Wynne	To defray expenses in investigation of Bd. of Pub. Wks.	Apr. 10, 1903	Apr. 13, 1903	500 00	
9	Apr. 20, 1903	Wynne	Contagious Disease Fund			\$5,000 00	
10	May 4, 1903	Wynne	To defray expenses of Memorial Day	May 18, 1903	May 20, 1903	200 00	
11	May 11, 1903	Wynne	Contagious Disease Fund	May 11, 1903	May 12, 1903	5,000 00	
12	May 18, 1903	Wynne	Contagious Disease Fund	June 15, 1903	June 17, 1903	5,000 00	
13	May 18, 1903	Wynne	Department Public Parks	June 7, 1903	Sept. 8, 1903	100,000 00	
14	May 18, 1903	Wynne	To pay Expert Accountant	May 18, 1903	May 20, 1903	500 00	
15	July 20, 1903	Wynne	Pest House			10,000 00	
16	Sept. 7, 1903	Wynne	Rebate on Joseph Pletzer's liquor license	Sept. 21, 1903	Sept. 25, 1903	93 15	
17	Sept. 21, 1903	Wynne	To defray current expenses of City Government	Sept. 30, 1903	Oct. 2, 1903		Failed to pass.

TABLE OF RESOLUTIONS FROM OCTOBER 10, 1901, TO OCTOBER 5, 1903, INCLUSIVE.

Number.	Introduced and Read First Time.	By Councilman—	Nature.	Adopted.	Remarks.
12	Dec. 16, 1901	Billingsley.....	That no St. cars or heavy ve'les cross br'ge at White R. until pro'd safe....	.....	Ref'r'd to C. on P. S. and Com.
1	Mar. 3, 1902	Rhodes.....	That Bd. Pub. Wks. compel joint use of poles or supports for wires....	.....	Ref'r'd to C. on P. S. and Com.
2	Apr. 3, 1902	Wahl.....	Expressing sympathy with Lew W. Cooper on account of death of wife....	Apr. 3, 1902	Approved by Mayor.
3	Apr. 24, 1902	Berry.....	In reference to proposal of Julius C. Haag.....	.....	Ref'r'd to C. on Con. and Fran.
4	Apr. 30, 1902	Negley.....	Expressing sympathy with James E. Berry on account of death of mother	Apr. 30, 1902	Approved by Mayor.
5	May 5, 1902	Cr ll.....	Perm'g Gentry Dog & Pony Show to exhibit with't cons't of cer'in resid'ts..	May 5, 1903	Approved by Mayor.
6	July 21, 1902	Negley.....	Relating to delivery of printed proceedings.....	July 21, 1902	Approved by Mayor.
7	Dec. 2, 1902	Committee.....	Vote of thanks to President Haldeman.....	Dec. 1, 1902	Approved by Mayor.
1	Jan. 19, 1903	Crall.....	In reference to elevated tracks.....	Dec. 19, 1902	.....
2	Feb. 2, 1903	Wahl.....	In reference to location of Pest House.....	Feb. 2, 1902	.....
3	Feb. 2, 1903	Berry.....	Expressing sympathy with family of Edward E. Bernauer.....	.....	Approved by Mayor.
4	Mar. 2, 1903	Meyer.....	Petitioning General Assembly to legalize Sunday baseball.....	.....	Not adopted.
5	Apr. 6, 1903	Crall.....	To investigate grade crossing conditions.....	Apr. 6, 1903	Approved by Mayor.
6	Apr. 6, 1903	Weyne.....	Special committee to examine records of City Clerk and Police Judge....	Apr. 6, 1903	Approved by Mayor.
7	May 4, 1903	Crall.....	Perm'g Gentry Dog & Pony Show to exhibit with't cons't of cer'in resid'ts..	May 4, 1903	Approved by Mayor.
8	May 18, 1903	Holliday.....	Permitting James T. Layman to shoot blackbirds.....	May 18, 1903	Approved by Mayor.
9	Aug. 17, 1903	Negley.....	Appointing election inspectors.....	.....	Ref'r'd to C. on P. S. and Com.
10	Sept. 21, 1903	Wynne.....	City Clerk to be paid (\$300.00) for indexing Council proceedings....	Sept. 21, 1903	Approved by Mayor.
11	Sept. 21, 1903	Negley.....	Thanking Thos. W. Palmer for map of Indianapolis.....	Sept. 21, 1903	Approved by Mayor.
12	Oct. 5, 1903	Negley.....	Changes in election inspectors.....	Oct. 5, 1903	Approved by Mayor.
13	Oct. 5, 1903	Negley.....	Changes in election inspectors.....	Oct. 5, 1903	Approved by Mayor.
14	Oct. 12, 1903	Negley.....	Changes in election inspectors.....	Oct. 12, 1903	Approved by Mayor.

AN INDEX

TO THE

Journal of the Common Council

OF THE

CITY OF INDIANAPOLIS,

FROM OCTOBER 10, 1901, TO OCTOBER 12, 1903.

ANNEXATION.

G. O. No. 73, 1901. An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Introduced	92
Read first time and referred.....	93
Committee report	154
Read second time, amended, ordered engrossed; read third time and passed	154-5
Approved by Mayor.....	158

Sp. O. No. 4, 1901: An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Introduced	100
Read first time and referred.....	100
Committee report.....	225
Committee report.....	283-4
Read second time, amended, ordered engrossed; read third time and passed	293-4
Vetoed by Mayor.....	296
Referred back to Committee.....	296

Sp. O. No. 1, 1902. An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Introduced	318
Read first time and referred.....	319
Committee report	355
Read second time, ordered engrossed; read third time and passed..	358-9
Approved by Mayor.....	361-2

- G. O. No. 59, 1902. An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Introduced	497
Read first time and referred.....	497

- Sp. O. No. 2, 1902. An ordinance annexing certain territory to the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	630
Read first time and referred.....	631
Committee report	671
Read second time, ordered engrossed; read third time and passed..	682
Approved by Mayor.....	684

- Sp. O. No. 1, 1903. An ordinance annexing certain contiguous territory to the City of Indianapolis, Indiana, providing for the publication thereof, and fixing a time when the same shall take effect.

Introduced	845
Read first time and referred.....	845
Motion to take out of hands of committee and place on passage, carried	911
Read second time, ordered engrossed; read third time and passed..	912
Approved by Mayor.....	916

- Sp. O. No. 2, 1903. An ordinance to amend Sp. O. No. 2, 1902, and to correct inaccuracies of description therein.

Introduced	951
Constitutional rules suspended, read second time, ordered engrossed; read third time and passed.....	952
Approved by Mayor.....	1010

ACCOSTING FEMALES.

- G. O. No. 34, 1902. An ordinance making it unlawful to accost any female by words or actions under certain circumstances, prohibiting the habitual standing in certain public places, and providing penalties for the violation of the same.

Introduced	290
Read first time and referred.....	291
Committee report	309
Read second time, ordered engrossed; read third time and failed to pass	326

AUTOMOBILES.

- G. O. No. 23, 1903. An ordinance regulating the running of automobiles through the streets, alleys or public driveways of the City of Indianapolis; and providing penalties for the violation thereof, and fixing the time when the same shall take effect.

Introduced	791
Read first time and referred.....	792
Committee report	800-1
Read second time, amended, ordered engrossed as amended; read third time and passed.....	823
Approved by Mayor.....	830

G. O. No. 34, 1903. An ordinance regulating the establishment, location, erection and maintenance of buildings and rooms for the storage, care, repair and hire of automobiles and other vehicles, fixing a penalty for the violation thereof, providing for the publication thereof and fixing a time when the same shall take effect.

Introduced	856
Read first time and referred.....	857

APPROPRIATION ORDINANCES.

App. O. No. 16, 1901. An ordinance appropriating the sum of five hundred dollars (\$500.00), and fixing a time for taking effect of same.

Introduced	11
Read first time and referred.....	11
Committee report	17-18
Read second time, ordered engrossed; read a third time and passed..	29
Approved by Mayor.....	81

App. O. No. 17, 1901. An ordinance appropriating the sum of \$1,875.00 to and for the use of the Department of Finance for election expenses, and fixing the time when the same shall take effect.

Introduced	18
Read first time and referred.....	18
Committee report	60
Read second time, ordered engrossed; read third time and passed..	68-69
Approved by Mayor.....	82

App. O. No. 18, 1901. An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect.

Introduced	18-19
Read first time and referred.....	19
Committee report—majority and minority.....	50-51
Read second time, ordered engrossed; read third time and failed to pass	51-52

App. O. No. 19, 1901. An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect.

Introduced	54
Read first time and referred.....	55
Committee report	61
Read second time, ordered engrossed; read third time and failed to pass	69

App. O. No. 20, 1901. An ordinance appropriating the sum of \$7,600 to and for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Introduced	62
Read first time and referred.....	62
Committee report	84
Read second time, ordered engrossed; read third time and passed..	91
Approved by Mayor.....	95

App. O. No. 21, 1901. An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect.

Introduced	72
Read first time and referred.....	72

App. O. No. 22, 1901. An ordinance appropriating the sum of one hundred ninety-six thousand four hundred fifty-five dollars and thirty-eight cents (\$196,455.38), out of the funds now in the City Treasury, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and fixing a time when the same shall take effect.

Introduced	73
Read first time and referred.....	73
Committee report	76
Read second time, ordered engrossed; read third time and passed..	76-77
Approved by Mayor.....	82

App. O. No. 23, 1901. An ordinance appropriating the sum of \$18,199.48 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Introduced	85
Read first time and referred.....	85
Committee report	98
Read second time, ordered engrossed, read third time and passed..	101

App. O. No. 1, 1902. An ordinance authorizing the Board of Public Works of the City of Indianapolis to construct and erect a temporary building on the grounds known as the City Hospital grounds, for the purpose of detaining and treating smallpox patients; appropriating the sum of two thousand five hundred (\$2,500) dollars for such purpose; declaring an emergency and fixing the time when same shall take effect.

Introduced	133
Read first time and referred.....	133
Committee report	136
Read second time, ordered engrossed; read third time and failed to pass	137-38

App. O. No. 2, 1902. An ordinance authorizing the Board of Public Works of the City of Indianapolis to construct and erect a temporary building on the grounds known as the City Hospital grounds, for the purpose of detaining and treating persons afflicted with contagious diseases; appropriating the sum of two thousand five hundred (\$2,500) dollars, declaring an emergency, and fixing a time when the same shall take effect.

Introduced	142
Read first time and referred.....	142

App. O. No. 3, 1902. An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	142
Read first time and referred.....	142
Committee report	146
Read second time, ordered engrossed; read third time and passed..	150
Approved by Mayor.....	158

App. O. No. 4, 1902. An ordinance appropriating the sum of three thousand (\$3,000) dollars for the use of the Department of Public Health and Charities of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	185
Read first time and referred.....	185
Committee report	190
Read second time, ordered engrossed; read third time and passed..	206
Approved by Mayor.....	219

App. O. No. 5, 1902. An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	191
Read first time and referred.....	191
Committee report	213
Read second time, ordered engrossed; read third time and passed..	215
Approved by Mayor.....	220

App. O. No. 6, 1902. An ordinance appropriating the sum of sixteen thousand five hundred (\$16,500) dollars to and for the use of the Department of Law of the City of Indianapolis.

Introduced	192
Read first time and referred.....	192
Committee report	224
Read second time, ordered engrossed; read third time and passed..	257-58
Approved by Mayor.....	260

App. O. No. 7, 1902. An ordinance authorizing the Board of Public Works of the City of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred (\$13,500) dollars for such purpose, and fixing a time when the same shall take effect.

Introduced	192
Read first time and referred.....	192
Committee report	307
Read second time, ordered engrossed; read third time and passed..	325

App. No. 8, 1902. An ordinance appropriating the sum of five thousand dollars (\$5,000) for the use of the Department of Public Health and Charities of the City of Indianapolis, and fixing a time when same shall take effect.

Introduced	213
Read first time and referred.....	214
Committee report	223
Read second time, amended, ordered engrossed; read third time and passed	258
Approved by Mayor.....	260

App. O. No. 9, 1902. An ordinance appropriating the sum of two hundred and twenty dollars (\$220) for the Department of Finance of the City of Indianapolis, and fixing a time when same shall take effect.

Introduced	214
Read first time and referred.....	214
Committee report	214
Constitutional rules suspended, read second time, ordered engrossed; read third time and passed.....	215
Approved by Mayor.....	220

App. O. No. 10, 1902. An ordinance appropriating the sum of two hundred dollars (\$200) to the Department of Finance, to be expended toward defraying the expenses attending the proper observance of Memorial Day, May 30, 1902, at Indianapolis, Marion county, Indiana, and fixing the time when the same shall take effect.

Introduced	285
Read first time and referred.....	286
Committee report	296
Read second time, ordered engrossed; read third time and passed..	300
Approved by Mayor.....	303

App. O. No. 11. An ordinance relating to the founding and maintenance of a hospital for persons suffering from incurable diseases, by the Indianapolis Flower Mission and City of Indianapolis, and creating a trust.

Introduced	286
Read first time and referred.....	287
Committee report	306
Read second time, ordered engrossed; read third time and passed..	325
Approved by Mayor.....	333

App. O. No. 12, 1902. An ordinance appropriating the sum of two thousand dollars (\$2,000) for the use of the Department of Public Health and Charities of the City of Indianapolis, and fixing a time when same shall take effect.

Introduced	287
Read first time and referred.....	287
Committee report	297
Read second time, ordered engrossed; read third time and passed..	300
Approved by Mayor.....	303-4

App. O. No. 13, 1902. An ordinance appropriation the sum of seven hundred and fifty dollars (\$750.00) for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Introduced	287
Read first time and referred.....	288
Committee report	306
Read second time, ordered engrossed; read third time and failed to pass	325

App. O. No. 14, 1902. An ordinance appropriating the sum of seven hundred dollars (\$700.00) for the Department of Public Works, and fixing a time when the same shall take effect.

Introduced	309
Read first time and referred.....	310
Committee report	353
Read second time, ordered engrossed; read third time and passed..	359
Approved by Mayor.....	361

App. O. No. 15, 1902. An ordinance appropriating the sum of \$8,730.35 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Introduced	310
Read first time and referred.....	310
Committee report	354
Read second time, ordered engrossed, read third time and passed..	359
Approved by Mayor.....	362

App. O. No. 16, 1902. An ordinance authorizing the Board of Public Works of the City of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred dollars (13,500) for such purpose, and fixing a time when the same shall take effect.

Introduced	330
Read first time and referred.....	330
Committee report	365
Read second time, ordered engrossed; read third time and passed..	388-9
Approved by Mayor.....	392
Communication from Board of Public Works referred.....	637
Committee report	657

App. O. No. 17, 1902. An ordinance appropriating the sum of seven hundred and fifty dollars for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Introduced	330
Read first time and referred.....	331
Committee report	353
Read second time, ordered engrossed; read third time and passed..	359
Approved by Mayor.....	361

App. O. No. 18, 1902. An ordinance appropriating the sum of two thousand dollars (\$2,000) for the use of the Department of Public Health and Charities of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	331
Read first time and referred.....	331
Committee report	354
Read second time, ordered engrossed; read third time and passed..	360
Approved by Mayor.....	361

App. O. No. 19, 1902. An ordinance appropriating the sum of one hundred and fifty dollars for the Department of Finance, and fixing a time when the same shall take effect.

Introduced	356
Read first time and referred.....	356
Committee report	364
Read second time, ordered engrossed; read third time and passed..	389
Approved by Mayor.....	391

App. O. No. 20, 1902. An ordinance appropriating the sum of \$362.75 for the Department of Finance, and fixing a time when the same shall take effect.

Introduced	366
Read first time and referred.....	366
Committee report	395
Read second time, ordered engrossed; read third time and passed..	397-8
Approved by Mayor.....	401

App. O. No. 21, 1902. An ordinance appropriating the sum of two thousand sixty-five dollars and fifty cents (\$2,065.50) for the Department of Public Safety, and fixing a time when the same shall take effect.

Introduced	395
Read first time and referred.....	395
Committee report	532
Read second time, ordered engrossed; read third time and passed..	547
Approved by Mayor.....	575

App. O. No. 22, 1902. An ordinance appropriating the sum of two thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Introduced	396
Read first time and referred.....	396
Committee report	408
Read second time, ordered engrossed; read third time and passed..	499
Approved by Mayor.....	530

App. O. No. 23, 1902. An ordinance appropriating the sum of \$1,000 for the Department of Finance on account of the inspection of scales, weights and measures, and fixing a time when the same shall take effect.

Introduced	564
Read first time and referred.....	564
Committee report	578
Read second time, ordered engrossed; read third time and passed..	592
Approved by Mayor.....	603

App. O. No. 24, 1902: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1903, and ending December 31, 1903, including all outstanding claims and obligations which become due and payable within said period, and fixing a time when same shall take effect.

Introduced	564
Read first time and referred.....	570
Committee report	599-600
Read second time, amended, ordered engrossed; read third time and passed	600-1
Approved by Mayor.....	604

App. O. No. 25, 1902. An ordinance appropriating the sum of \$3,375 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Introduced	640
Read first time and referred.....	640
Committee report	656
Read second time, ordered engrossed; read third time and passed..	663
Approved by Mayor.....	669

App. O. No. 26, 1902. An ordinance appropriating the sum of \$138.88 with which to pay a certain claim made by virtue of Section 8, of an act entitled "An act to better regulate and restrict the sale of intoxicating and malt liquors," etc., approved March 11, 1895, and fixing the time when the same shall take effect.

Introduced	658
Read first time and referred.....	658
Committee report	670
Read second time, ordered engrossed; read third time and passed..	681
Approved by Mayor.....	684

App. O. No. 1, 1903. An ordinance appropriating the sum of five thousand dollars (\$5,000.00) for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Introduced	704
Read first time and referred.....	704
Committee report	711
Read second time, ordered engrossed; read third time and passed..	721
Approved by Mayor.....	726

App. O. No. 2, 1903. An ordinance appropriating the sum of four thousand dollars (\$4,000.00) for the Department of Public Works, and fixing a time when the same shall take effect.

Introduced	715
Read first time and referred.....	715
Committee report	747
Read second time, ordered engrossed; read third time and passed..	756
Approved by Mayor.....	757

App. O. No. 3, 1903. An ordinance appropriating the sum of one thousand dollars (\$1,000.00) to and for the Department of Public Works, and fixing a time when the same shall take effect.

Introduced	753
Read first time and referred.....	753
Committee report	760
Read second time, ordered engrossed; read third time and passed..	763
Approved by Mayor.....	767

App. O. No. 4, 1903. An ordinance appropriating the sum of five thousand dollars (\$5,000.00) for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Introduced	761
Read first time and referred.....	762
Committee report	770
Read second time, ordered engrossed; read third time and passed..	779
Approved by Mayor.....	785

App. O. No. 5, 1903. An ordinance appropriating the sum of six hundred and twenty dollars to and for the use of the Department of Public Health and Charities, and fixing the time when the same shall take effect.

Introduced	762
Read first time and referred.....	762
Committee report	832
Read second time, ordered engrossed; read third time and passed..	840
Approved by Mayor.....	843

App. O. No. 6, 1903. An ordinance appropriating the sum of five thousand dollars (\$5,000.00) for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Introduced	771
Read first time and referred.....	771
Committee report	783
Read second time, ordered engrossed; read third time and passed..	783
Approved by Mayor.....	786

App. O. No. 7, 1903. An ordinance appropriating the sum of thirty thousand dollars to and for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Introduced	771
Read first time and referred.....	771
Committee report	788
Read second time, ordered engrossed; read third time and passed..	794
Approved by Mayor.....	797

App. O. No. 8, 1903. An ordinance appropriating the sum of five hundred dollars (\$500) to and for the use of the Department of Finance, and fixing a time when the same shall take effect.

Introduced and read first time.....	782
Constitutional rules suspended, read second time, ordered engrossed; read third time and passed.....	783
Approved by Mayor.....	786

App. O. No. 9, 1903. An ordinance appropriating the sum of five thousand dollars (\$5,000.00) for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Introduced	788
Read first time and referred.....	789
Committee report	800
Read second time, ordered engrossed; read third time and failed to pass for want of constitutional majority.....	822

App. O. 10, 1903. An ordinance appropriating the sum of two hundred dollars to the Department of Finance, on account of Memorial Day, May 30, 1903, and fixing a time when the same shall take effect.

Introduced	803
Read first time and referred.....	803
Committee report	833
Read second time, ordered engrossed; read third time and passed..	840
Approved by Mayor.....	843

App. O. No. 11, 1903. An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Introduced	827
Read first time and referred.....	827
Committee report	827
Constitutional rule suspended.....	828
Read second time, amended, ordered engrossed as amended; read third time and passed.....	828
Approved by Mayor.....	830

App. O. No. 12, 1903. An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Introduced	834
Read first time and referred.....	834
Committee report	851
Read second time, ordered engrossed; read third time and passed..	858
Approved by Mayor.....	915

App. O. No. 13, 1903. An ordinance appropriating the sum of one hundred thousand dollars for the use of the Department of Public Parks of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	834
Read first time and referred.....	835
Committee report.....	1013
Read second time, ordered engrossed; read third time and passed..	1020
Approved by Mayor.....	1024

App. O. No. 14, 1903. An ordinance appropriating the sum of five hundred dollars for the employment of an expert accountant to examine the books and accounts of the office of the City Clerk of the City of Indianapolis, under the employment and direction of the special committee appointed for that purpose by the President of the Common Council, May 4, 1903, and fixing a time when said ordinance shall take effect.

Introduced	835
Read first time and referred.....	835
Recalled from committee.....	839
Constitutional rules suspended, read second time, ordered engrossed; read third time and passed.....	839-40
Approved by Mayor.....	843

App. O. No. 15, 1903. An ordinance appropriating the sum of ten thousand dollars for the Department of Public Works, to be used in the purchase of real estate and erection of buildings for smallpox hospital, and fixing a time when the same shall take effect.

Introduced	942
Read first time and referred.....	942

App. O. No. 16, 1903. An ordinance appropriating the sum of ninety-three dollars and fifteen cents (\$93.15) with which to pay a certain claim made by virtue of Section 8 of an act entitled "An act to better regulate and restrict the sale of intoxicating and malt liquors," etc., approved March 11, 1895, and fixing the time when the same shall take effect.

Introduced	1016
Read first time and referred.....	1017
Committee report.....	1036
Read second time, ordered engrossed; read third time and passed..	1057
Approved by Mayor.....	1067

App. O. No. 17, 1903. An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year, beginning January 1, 1904, and ending December 31, 1904, including all outstanding claims and obligations which become due and payable within said period, and fixing a time when the same shall take effect.

Introduced	1038
Read first time and referred.....	1044
Committee report	1061-2
Read second time, ordered engrossed; read third time and passed..	1065
Approved by Mayor.....	1068

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Communication from, in reference to temporary hospital for care of smallpox cases. Referred.....	132-33
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Communication from, requesting appropriation of \$5,000 for "Contagious Fund. Referred.....	282
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Communication from, in reference to contract granting United States Encaustic Tile Works right to construct side track across Sixteenth street. Referred.....	221
Communication from, in reference to contract granting James L. Keach right to construct side track across McGill street. Referred	221
Communication from, in reference to contract granting Atlas Engine Works right to construct side track across certain streets and alleys. Referred	222
Communication from, in reference to contract granting Cleveland, Cincinnati, Chicago and St. Louis Railroad Company and W. J. Holliday & Company right to construct side tracks in and along and across certain streets. Referred.....	222
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Communication from, in reference to contract granting Buddenbaum & Heller right to construct side track across Fletcher avenue. Referred	281
Communication from, in reference to contract with Indianapolis, Lebanon & Frankfort Traction Company. Referred.....	305
Communication from, in reference to contract granting Mainland Manufacturing Co. right to construct side track across Twenty-fifth street. Referred	352
Communication from, in reference to contract with Merchants' Heat and Light Company. Referred.....	362
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Communication from, in reference to contract granting James L. Keach right to construct side track in and along Louisiana street. Referred	363
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Communication from, in reference to contract with Indianapolis Traction and Terminal Company. Referred.....	404
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Communication from, in reference to App. O. No. 16, 1902 (location of smallpox hospital). Referred.....	637
Communication from, in reference to contract with John E. Christian. Referred	637-8
Communication from, in reference to contract granting James Wadsworth right to construct side track across Minnesota street. Referred	655
Communication from, in reference to contract with Citizens Heat and Light Company. Referred.....	670
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Communication from, requesting appropriation of \$4,000 to pay assessment for Michigan street sewer. Referred.....	711
Communication from, requesting appropriation of \$20,000 for construction of building over Market Place. Referred.....	768-9
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Communication from, in reference to contract granting William F. Gansberg right to construct side track across Ringgold avenue. Referred	850
Communication from, in reference to contract granting Schnull & Co. right to construct side track across Missouri street. Referred	850-1

Communication from, requesting transfer of \$1,250 from "Sprinkling Unimproved Streets" Fund to "Brightwood Waterworks" Fund. Referred	916
Communication from, in reference to contract granting Aldag and Coonse Co. right to construct side track across LaSalle and Olney streets. Referred.....	917
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Communication from, requesting transfer of \$5,000 from "Bridge" fund to "Maintenance and Repair of Streets" fund. Referred....	1035
Communication from, in reference to contract granting A. Minter right to construct side track across Georgia and California streets. Referred	1036

BONDS.

By the City Comptroller (through Mr. Wynne):

G. O. No. 67, 1901. An ordinance authorizing the issue and sale of one hundred and ninety-seven (197) funding bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said city, or as may be required by law, in order to raise money to take up and fund certain temporary loans of said city, which by their terms are payable on the second day of December, 1901, aggregating one hundred and ninety-five thousand dollars (\$195,000); prescribing the time and manner of advertising the sale of said funding bonds and of the receipt of bids for the same, together with the mode and terms of sale; appropriating the proceeds of the sale of said funding bonds; providing the time and manner of payment of said temporary loans; and providing for the funding of the indebtedness of the said City of Indianapolis represented by said temporary loans, and matters connected therewith; and fixing the time when the same shall take effect.	
Introduced	40
Read first time and referred.....	46
Committee report—majority	48
Committee report—minority.....	49-50
Re-referred to committee	85
Committee report, amended ordinance offered as substitute.....	85-90

Substitute adopted	90
Read second time, ordered engrossed; read third time and passed..	91
Motion to reconsider, lost.....	91
Approved by Mayor.....	96
G. O. No. 47, 1902. An ordinance authorizing the issue and sale of one hundred (100) bonds of one thousand (\$1,000) dollars each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said City, or as may be required by law, in order to raise money to expend for boulevard purposes; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale; and fixing a time when the same shall take effect.	
Introduced	409
Read first time and referred.....	413
Communication from Mayor.....	727
Committee report—majority	747-51
Committee report—minority	751-52
Read second time, amended, engrossed; read third time and passed.	756
Approved by Mayor.....	757
G. O. No. 8, 1903. An ordinance authorizing the issue and sale of thirty (30) bonds of one thousand (\$1,000) dollars each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for constructing and erecting a roof and other improvements over and upon Market Place; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for the same, together with the mode and terms of sale; and fixing a time when the same shall take effect.	
Introduced	700
Read first time and referred.....	704
Committee report	712
Read second time, ordered engrossed; read third time and passed..	722
Approved by Mayor.....	725
G. O. No. 54, 1903. An ordinance authorizing the issue and sale of sixty-five (65) bonds of one thousand (\$1,000) dollars each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend in the construction of a bridge where Northwestern avenue crosses Fall Creek in said city; prescribing the time and manner of the advertisement and sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; and fixing the time when same shall take effect.	
Introduced	1003
Read first time and referred.....	1006
Committee report—majority	1013-15
Committee report—minority	1013-15
Read second time, ordered engrossed; read third time and passed..	1020
Approved by Mayor.....	1024

BONDS—OFFICIAL.

Bond of City Treasurer, Armin C. Koehne:

Read and referred.....	96
Approved	118

BOUNDARIES.

G. O. No. 9, 1903. An ordinance to divide the City of Indianapolis, Indiana, into fifteen wards, and to readjust the ward and Common Council boundaries of such wards, fixing the time when such ordinance shall take effect.

Introduced	715
Read first time and referred.....	720
Committee report	802
Read second time, amended, ordered engrossed as amended; read third time and passed.....	823
Approved by Mayor.....	849

G. O. No. 35, 1903. An ordinance fixing the boundaries of the voting precincts of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Introduced	860
Read first time and referred.....	910
Committee report	912
Read second time, ordered engrossed; read third time and passed..	912
Approved by Mayor	916

G. O. No 42, 1903. An ordinance to amend General Ordinance No. 35, 1903, and to correct inaccuracies of description therein.

Introduced	952
Constitutional rules suspended, read second time, ordered engrossed; read third time and passed.....	961-2
Approved by Mayor.....	1010

G. O. No. 43, 1903. An ordinance amending G. O. No. 9, 1903, and to correct inaccuracies of description therein.

Introduced	962
Constitutional rules suspended, read second time, ordered engrossed; read third time and passed.....	663-4
Approved by Mayor.....	1010

BRICK.

G. O. No. 11, 1903. An ordinance regulating the delivery and unloading of brick for building purposes upon the streets or public highways of the City of Indianapolis, and fixing a penalty for the violation of the same.

Introduced	721
Read first time and referred.....	721

CITY ATTORNEY.

Communication from, requesting transfer of \$300 from Judgments Fund to Office Rent and Expenses Fund. Referred.....	636
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CITY CLERK.

Communication from, in reference to election of Councilman-at-Large	13-14
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Communication from, returning G. O. No. 8, 1902, to Board of Public Works, with recommendations of Committee on Railroads.....	158-161
Communication from, in reference to election of Councilman-at-Large	649-50
G. O. No. 16, 1903. An ordinance to make it the duty of the City Clerk of the City of Indianapolis, Indiana, to deliver a certified copy of all penal ordinances hereafter passed by the Common Council and approved by the Mayor, as soon as such ordinances shall have been approved.	
Introduced	763
Read first time and referred.....	763
Committee report	1068-9
Read second time, ordered engrossed; read third time and passed..	1072
Communication from, in reference to office of City Clerk. Referred	819-21

CITY COMPTROLLER.

Communication from, recommending appropriation of \$500 for fund of "Miscellaneous Expense of the City Officers." Referred.....	10
Communication from, recommending appropriation of \$1,875 to pay election expenses. Referred.....	15
Communication from, recommending appropriation of \$196,455.38. to pay temporary loans and interest. Referred.....	16
Communication from, recommending transfer of \$800 from "Sprinkling Unimproved Streets Fund" to "Vapor Light Fund." Referred	16
Communication from, recommending passage of an ordinance, authorizing the issuing of funding bonds to amount of \$197,000. Referred	40
Communication from, recommending appropriation of \$196,455.38 to pay temporary loans. Referred.....	54
Communication from, recommending appropriation of \$7,600 for Board of Public Works. Referred.....	58
Communication from, recommending transfer of \$2,000 from "Sprinkling Unimproved Streets" fund to "Sweeping and Cleaning Improved Streets" fund. Referred.....	58
Communication from, recommending appropriation of \$196,455.38 to pay temporary loans. Referred.....	72
Communication from, in reference to App. O. No. 22, 1901. Referred	82-83
Communication from, recommending appropriation of \$18,199.48 to pay "Fire Department and City Hospital Bonds of 1901." Referred	83
Communication from, in reference to official bond of Armin C. Koehne. Referred	96
Communication from, recommending transfer of \$4,020 from various funds to "Garfield Improvements" fund. Referred.....	103
Communication from, recommending appropriation of \$2,500 for temporary hospital for care of smallpox cases. Referred.....	132
Communication from, recommending appropriation of \$2,500 for temporary hospital for care of contagious diseased cases. Referred	140
Communication from, recommending appropriation of \$2,000 for Contagious Disease Fund. Referred.....	140
Communication from, recommending appropriation of \$3,000 for Contagious Disease Fund. Referred.....	176
Communication from, recommending appropriation of \$2,000 for Contagious Disease Fund. Referred.....	188

Communication from, recommending appropriating of \$16,500 to pay certain judgments and interest. Referred.....	188
Communication from, recommending appropriation of \$13,500 for purchase of ground and erection of buildings for treatment of contagious diseases. Referred.....	188
Communication from, recommending appropriation of \$5,000 for Contagious Disease Fund. Referred.....	212
Communication from, recommending appropriation of \$220 to pay interest on Irvington Bonds. Referred.....	212
Communication from, recommending appropriation of \$2,000 for Contagious Disease Fund. Referred.....	280
Communication from, recommending appropriation of \$750 for purpose of enforcing laws regarding supply and sale of milk. Referred	280-1
Communication from, recommending appropriation of \$200 for defraying expenses of "Memorial Day." Referred.....	281
Communication from, recommending appropriation for hospital for care of persons suffering with incurable diseases. Referred....	304
Communication from, recommending appropriation of \$700 to pay damages account vacation of first alley south of Twenty-first street, from Meridian street to first alley east. Referred.....	304
Communication from, recommending appropriation of \$8,730.35 to pay \$5,000 principal and interest due on \$195,000 emergency bonds of 1901. Referred.....	305
Communication from, recommending appropriation of \$13,500.00 for erection of smallpox hospital. Referred.....	328
Communication from, recommending appropriation of \$750.00 for Board of Health and Charities to enforce laws as to sale of milk. Referred	328-9
Communication from, recommending appropriation of \$2,000.00 for "Contagious Disease Fund." Referred.....	329
Annual report for fiscal year ending December 31, 1901. Referred.	334-52
Communication from, recommending appropriation of \$150.00 for services rendered Board of Trustees of Irvington. Referred....	352
Communication from, recommending appropriation of \$362.75 to pay interest on town of Irvington bonds. Referred.....	364
Communication from, requesting transfer of \$5,000.00 from "Sprinkling Unimproved Streets Fund" to "Bridge Fund." Referred...	392
Communication from, recommending appropriation of \$2,065.50 to pay additional patrolmen. Referred.....	392-3
Communication from, recommending appropriation of \$2,000.00 for "Contagious Disease Fund." Referred.....	393
Communication from, recommending appropriation of \$2,000.00 for "Bridge Gang Pay-roll." Referred.....	404
Communication from, giving estimates of expenditures for the various departments for the fiscal year 1903. Referred.....	556-62
Communication from, recommending appropriation of \$1000.00 for purpose of purchasing appliances to carry out provisions for inspection of scales, weights and measures. Referred.....	562
Communication from, recommending transfer of \$2,050.00 from "Fire Force Pay-roll Fund" to "Maintenance Fund." Referred..	562
Communication from, recommending transfer of \$500.00 from "Sprinkling Unimproved Streets Fund" to "Brightwood Water Works Fund;" and \$1,500.00 from same fund to "Bridge Gang Pay-roll Fund." Referred.....	618
Communication from; recommending transfer of \$300.00 to "Salary Account" of the City Hospital; \$200.00 from "Incidental Account." and \$100.00 from the "Surgical Supply Account." Also, the transfer of \$60.00 to "Salary Account" of the Health Office from the "Horse Board Account." Referred.....	618-19

Communication from, recommending appropriation of \$3,375.00 to pay semi-annual interest on emergency bonds of 1901. Referred.	636
Communication from, recommending transfer of \$300.00 from "Judgments Fund" to "Office Rent and Expenses Fund." Referred	636
Communication from, recommending appropriation of \$138.88 to pay rebate on Benj. Kersting's liquor license. Referred.....	655
Communication from, recommending appropriation of \$5,000.00 for "Contagious Disease Fund." Referred.....	693
Communication from, recommending appropriation of \$4,000.00 to pay assessment for Michigan street sewer. Referred.....	711
Communication from, recommending appropriation of \$1,000.00 for "Furniture and Fixtures Account." Referred.....	728
Annual report for fiscal year ending December 31, 1902. Referred.....	728-747
Communication from, recommending appropriation of \$5,000.00 for "Contagious Disease Fund." Referred.....	758
Communication from, recommending appropriation of \$620.00 to employ temporary Milk Inspector. Referred.....	758
Communication from, recommending appropriation for employment of Drug and Prescription Clerk at City Dispensary. Referred...	758
Communication from, recommending appropriation of \$30,000.00 for construction of building over market place. Referred.....	768
Communication from, recommending appropriation of \$5,000.00 for "Contagious Disease Fund." Referred.....	769
Communication from, recommending appropriation of \$500.00 to defray expenses in investigation of charges against Board of Public Works. Referred.....	782
Communication from, recommending appropriation of \$5,000.00 for "Contagious Disease Fund." Referred.....	786
Communication from, recommending appropriation of \$200.00 to defray expenses of observing Memorial Day. Referred.....	798
Communication from, recommending appropriation of \$5,000.00 for "Contagious Disease Fund." Referred.....	826
Communication from, recommending appropriation of \$5,000.00 for "Contagious Disease Fund." Referred.....	830
Communication from, recommending appropriation of \$100,000.00 for "Department of Public Parks." Referred.....	831
Communication from, recommending appropriation of \$500.00 to pay for examination of books and accounts in City Clerk's office. Referred	831
Communication from, recommending transfer of \$1,250.00 from "Sprinkling Unimproved Streets Fund" to "Brightwood Water Works Fund." Referred.....	916
Communication from, recommending appropriation of \$10,000.00 for purchase of real estate and construction of buildings for care of persons afflicted with smallpox and other contagious diseases. Referred	939
Communication from, recommending transfer of \$5,000.00 from "Bridge Fund" to "Street Repair Pay-roll." Referred.....	966
Communication from, recommending transfer of \$2,282.42 from "Bridge Fund" to "Payment of Assessments Fund." Referred..	967
Communication from, recommending appropriation of \$93.15 to Joseph Behringer, for rebate on Joseph Pletzer's liquor license. Referred	1011
Communication from, recommending transfer of \$500.00 from "Fire Force Pay-roll Fund," to "Fire Force Repair to Buildings Fund." Referred	1012

Communication from, submitting estimates for the various City Departments for fiscal year commencing January 1 and ending December 31, 1904. Referred.....	1027-35
Communication from, recommending transfer of \$5,000.00 from "Bridge Fund" to "Maintenance and Repair of Streets" Fund. Referred	1035

CITY OFFICERS AND EMPLOYEES.

G. O. No. 74, 1901. An ordinance to amend Section 2 of an ordinance entitled "An ordinance authorizing the employment of certain clerks, assistants and employes, and providing for the compensation of certain officers, heads of departments, clerks and employes, fixing the compensation, salary and wages of certain officers, clerks and employes of the City of Indianapolis, Indiana, repealing all conflicting ordinances and fixing the time when this ordinance shall take effect," the same being G. O. No. 79, 1893, passed by the Common Council of the City of Indianapolis, January 15, 1894, and in force January 18, 1894, repealing conflicting ordinances and fixing a time when the same shall take effect.	
Introduced	99
Read first time and referred.....	99
Committee report	105-6
Read second time, amended, ordered engrossed; read third time and passed	118-19
Approved by Mayor.....	123
G. O. No. 35, 1902. An ordinance regulating the Fire Department, and establishing and fixing the compensation of the members thereof.	
Introduced	297
Read first time and referred.....	298
G. O. No. 43, 1902. An ordinance grading certain members of the fire force of the City of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.	
Introduced	387
Read first time and referred.....	388
Committee report	531-2
Read second time, amended, ordered engrossed; read third time and passed	592-93
Vetoed by Mayor.....	604-5
G. O. No. 6, 1903. An ordinance fixing the salary of the Clerk of the Department of Health and Charities, and repealing all ordinances in conflict therewith.	
Introduced	699
Read first time and referred.....	699
G. O. No. 15, 1903. An ordinance fixing the compensation of the drug and prescription clerk in the City Dispensary, and transferring certain funds to certain funds heretofore appropriated.	
Introduced	762
Read first time and referred.....	762
Committee report	770
Read second time, amended, ordered engrossed as amended; read third time and passed.....	779-80
Approved by Mayor.....	785

- G. O. No. 16, 1903. An ordinance to make it the duty of the City Clerk of the City of Indianapolis, Indiana, to deliver a certified copy of all penal ordinances hereafter passed by the Common Council and approved by the Mayor, as soon as such ordinances shall have been approved.

Introduced	763
Read first time and referred.....	763
Committee report	1068-9
Read second time, ordered engrossed; read third time and passed..	89-21

- G. O. No. 49, 1903. An ordinance grading certain members of the fire force of the City of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

Introduced	989
Read first time and referred.....	990
Committee report	1062-3
Read second time, amended, ordered engrossed; read third time and passed	1065
Approved by Mayor.....	1068

CITIZENS' HEAT AND LIGHT COMPANY.

- G. O. No. 40, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and The Citizens' Heat and Light Company, its successors and assigns, granting authority and permission to use the streets, alleys and public places of and within the City of Indianapolis for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when same shall take effect.

Introduced	374
Read first time and referred.....	380
Committee report	407
Read second time, amended, ordered engrossed; read third time and passed	499-500
Approved by Mayor.....	530

- G. O. No. 1, 1903. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and The Citizens' Heat and Light Company, its successors and assigns, granting the authority and permission to use the streets, alleys, and public places of, and within, the City of Indianapolis, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers,

and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Introduced	671
Read first time and referred.....	678
Committee report	694
Read second time, ordered engrossed; read third time and passed..	706
Approved by Mayor.....	709

CHICKENS.

G. O. No. 41, 1903. An ordinance regulating the keeping of chickens within the corporate limits of the City of Indianapolis, providing a penalty, and fixing a time when the same shall take effect.

Introduced	949
Read first time and referred.....	949

COMMITTEES—SPECIAL.

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CONSOLIDATED TRACTION COMPANY.

G. O. No. 28, 1903. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of May, 1903, between the City of Indianapolis, by and through its Board of Public Works, and the Consolidated Traction Company, whereby said company is authorized to run and operate its inter-urban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	809
Read first time and referred.....	817
Committee report	844
Read second time, ordered engrossed; read third time and passed..	847
Approved by Mayor.....	850

CHIEF OF FIRE FORCE.

Communication from, requesting transfer of \$2,050 from Fire Force Pay Roll to Maintenance Fund. Referred.....	563
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CROWN HILL CEMETERY.

G. O. No. 62, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Crown Hill Cemetery, a corporation, whereby said Crown Hill Cemetery agrees to pay, or reimburse the City of Indianapolis, that proportion of the construction of the sewer in Northwestern avenue and Twenty-fourth street from Fall Creek to Thirty-second street, which the city would be compelled to pay in the absence of such agreement, by reason of the law prohibiting the assessment of any lands within the limits of said cemetery for such purpose, which proportion is forty-four (44) per cent. of seventy-six (76) per cent. of the total cost of the construction of said sewer; and fixing a time when the same shall take effect.

Introduced	543
Read first time and referred.....	545
Read second time, ordered engrossed; read third time and passed..	634
Approved by Mayor.....	635

DISTURBANCES, PUBLIC GATHERINGS.

G. O. No. 36, 1902. An ordinance concerning the prevention of disturbances of public gatherings.

Introduced	298
Read first time and referred.....	298
Committee report.....	365
Read second time, amended, ordered engrossed; read third time and passed	389-90
Approved by Mayor.....	391

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ELECTRIC LIGHT.

G. O. No. 10, 1902. An ordinance regulating the price to be charged consumers of electric light in the City of Indianapolis, fixing a penalty and time of taking effect of same.

Introduced	127
Read first time and referred.....	127
Committee granted additional time for consideration.....	258
Committee granted additional time for consideration.....	275
Committee report	299
Committee report	308

EXPRESS WAGONS.

G. O. No. 3, 1903. An ordinance prohibiting express wagons and transfer wagons from standing upon certain streets in the city of Indianapolis, Indiana, providing a penalty for the violation thereof, and fixing the time when the same shall take effect.

Introduced	686
Read first time and referred.....	686
Committee report	695
Read second time, ordered engrossed; read third time and passed..	707
Approved by Mayor.....	710

FALSE ALARMS.

G. O. No. 29, 1903. An ordinance making it unlawful for any person in the City of Indianapolis, Indiana, to give false alarms of fire, false calls for police protection and interference, and false calls for the city ambulance; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Introduced	835
Read first time and referred.....	836

FLAGMAN.

G. O. No. 3, 1902. An ordinance requiring the Indianapolis & Vincennes Railroad Company to station and maintain one flagman at the crossing of Ray and Dover streets, in the City of Indianapolis, by the tracks of said company, and providing a penalty for its violation, and fixing a time for its taking effect.

Introduced	109
Read first time and referred.....	109

G. O. No. 5, 1902. An ordinance requiring the Indianapolis Union Railway Company to station a flagman at Bluff avenue where the tracks of said company cross the same, providing a penalty for the violation thereof, and fixing the time when the same shall take effect.

Introduced	111
Read first time and referred.....	111
Committee report	127
Read second time, ordered engrossed; read third time and passed..	129
Approved by Mayor.....	157

G. O. No. 11, 1902. An ordinance requiring the Lake Erie and Western Railroad Company, the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, and the Chicago, Indianapolis and Louisville Railway Company, to station a flagman at the crossing of East New York street and the railway tracks of said companies, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Introduced	128
Read first time and referred.....	128
Committee report	147
Read second time, ordered engrossed; read third time and passed..	151
Approved by Mayor.....	158

G. O. No. 13, 1902. An ordinance requiring the Belt Railroad of Indianapolis to station and maintain a flagman at Singleton street, where the tracks of said company cross the same, providing a penalty for violation thereof, and fixing a time when the same shall take effect.

Introduced	149
Read first time and referred.....	149
Committee report	261
Read second time, ordered engrossed; read third time and passed..	273
Approved by Mayor.....	280

G. O. No. 26, 1902. An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to keep and maintain flagmen at Indian avenue and Fletcher avenue crossings.

Introduced	238
Read first time and referred.....	239
Committee report	285
Read second time, amended, ordered engrossed; read third time and passed	294
Approved by Mayor	295

G. O. No. 58, 1902. An ordinance requiring a flagman at the crossing of Fletcher avenue and the Cleveland, Cincinnati, Chicago and St. Louis Railway Company.

Introduced	497
Read first time and referred.....	497
Committee report	534
Read second time, ordered engrossed; read third time and passed..	548

G. O. No. 65, 1902. An ordinance requiring the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company to station a flagman at the corner of East North street and the railroad tracks of said company, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Introduced	546
Read first time and referred.....	546
Committee report	621
Read second time, ordered engrossed; read third time and passed..	633
Approved by Mayor.....	635

G. O. No. 13, 1903. An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the crossing of Georgia street, by the tracks of said company, and fixing a time for its taking effect.

Introduced	754
Read first time and referred.....	754
Re-referred	794
Committee report	801
Read second time, ordered engrossed; read third time and passed..	822
Approved by Mayor.....	829

G. O. No. 14, 1903. An ordinance requiring the Lake Erie & Western Railroad Company, the Chicago, Indianapolis and Louisville Railroad Company, to station and maintain a flagman at the crossing of Sixteenth street, by the tracks of said companies, and fixing a time for its taking effect.

Introduced	755
Read first time and referred.....	755
Re-referred	794
Committee report	801
Read second time, ordered engrossed; read third time and passed..	822
Approved by Mayor.....	829

G. O. No. 20, 1903. An ordinance requiring the Lake Erie & Western Railroad Company, the Chicago, Indianapolis & Louisville Railroad Company, to station and maintain a flagman at the crossing of Twenty-fifth street, by the track of said companies, and fixing a time for its taking effect.

Introduced	775
Read first time and referred.....	775
Committee report	787
Read second time, ordered engrossed; read third time and passed..	795
Approved by Mayor.....	797

G. O. No. 50, 1903. An ordinance requiring the Indianapolis Union Railway Company to station and maintain a flagman at the crossing of West Market street and the tracks of the said railway company, in the City of Indianapolis, Indiana.

Introduced	990
Read first time and referred.....	991
Committee report.....	1015
Read second time, ordered engrossed; read third time and passed..	1021
Approved by Mayor.....	1023-4

GAS LIGHT.

G. O. No. 48, 1903. A general ordinance ratifying and confirming a certain contract made and entered into by the city of Indianapolis through its Board of Public Works with the Sun Vapor Street Light Company for the lighting of certain streets, alleys, and other public places with its incandescent system of gas street lighting.

Introduced	976
Read first time and referred.....	989

GAS METERS.

G. O. No. 27, 1902. An ordinance providing for the inspection and testing of gas meters and for determining the purity and illuminating power of illuminating gas by the City Engineer, and providing for notice of the inaccuracy of meters, and making it a misdemeanor for any company furnishing illuminating gas to refuse or neglect to correct inaccurate meters within twenty-four hours after receiving notice, and providing a penalty therefor; and providing a forfeiture for furnishing impure gas.

Introduced	239
Read first time and referred.....	240

HEADLIGHTS.

G. O. No. 40, 1903. An ordinance making it unlawful for any person, firm or corporation to run or operate an electric car in or upon the streets of the City of Indianapolis, Indiana, with a lighted arc headlight on said car, without such headlight being screened in such manner as to reduce the brilliancy of such light fifty per cent.; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Introduced	948
Read first time and referred.....	949
Committee report.....	969-70
Read second time, ordered engrossed; read third time and passed..	992-3
Approved by Mayor.....	1010

IDLING AND LOITERING.

G. O. No. 34, 1902. An ordinance making it unlawful to accost any female by words or actions under certain circumstances, prohibiting the habitual standing in certain public places, and providing penalties for the violation of the same.	
Introduced	290
Read first time and referred.....	291
Committee report	309
Read second time, ordered engrossed; read third time and failed to pass	326

INDIANAPOLIS AND EASTERN RAILWAY COMPANY.

G. O. No. 57, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Eastern Railway Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.	
Introduced	489
Read first time and referred.....	496
Read second time, ordered engrossed; read third time and passed	528
Approved by Mayor.....	576

INDIANAPOLIS, GREENWOOD & FRANKLIN RAILROAD COMPANY.

G. O. No. 52, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Greenwood and Franklin Railroad Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.	
Introduced	449
Read first time and referred.....	456
Read second time, ordered engrossed; read third time and passed	526
Approved by Mayor.....	576

INDIANAPOLIS, LEBANON AND FRANKFORT TRACTION COMPANY.

G. O. No. 53, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Lebanon and Frankfort Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.	
Introduced	457
Read first time and referred.....	464
Read second time, ordered engrossed; read third time and passed	527
Approved by Mayor.....	576

INDIANAPOLIS, LOGANSFORT & CHICAGO RAILWAY COMPANY.

G. O. No. 53, 1903. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-fourth day of August, 1903, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Logansport and Chicago Railway Company, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the City of Indianapolis, and to maintain the same and operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

Introduced	997
Read first time and referred.....	1003
Committee report.....	1012-13
Read second time, ordered engrossed; read third time and passed..	1021-2
Approved by Mayor.....	1024

INDIANAPOLIS AND MARTINSVILLE RAPID TRANSIT COMPANY.

G. O. No. 55, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Martinsville Rapid Transit Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	473
Read first time and referred.....	480
Read second time, ordered engrossed; read third time and passed..	527-8
Approved by Mayor.....	530

INDIANAPOLIS NORTHERN TRACTION COMPANY.

G. O. No. 50, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Northern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	430
Read first time and referred.....	439
Read second time, ordered engrossed; read third time and passed	526
Approved by Mayor.....	530

INDIANAPOLIS AND PLAINFIELD ELECTRIC RAILROAD COMPANY.

G. O. No. 54, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Plainfield Electric Railroad Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight

on such cars, in and upon the streets of the City of Indianapolis, and to build, construct, maintain and operate its railroad over and across certain streets and alleys, and fixing the time when the same shall take effect.

Introduced	465
Read first time and referred.....	472
Read second time, ordered engrossed; read third time and passed ..	527
Approved by Mayor.....	530

INDIANAPOLIS, SHELBYVILLE AND SOUTHEASTERN TRACTION COMPANY.

G. O. No. 56, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

Introduced	481
Read first time and referred.....	488
Read second time, ordered engrossed, read third time and passed..	528
Approved by Mayor.....	530

INDIANAPOLIS TRACTION AND TERMINAL COMPANY.

G. O. No. 49, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon certain streets of the city of Indianapolis, and fixing a time when the same shall take effect.

Introduced	413
Read first time and referred.....	430

G. O. No. 60, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon the streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	502
Read first time and referred.....	519
Committee report.....	522
Read second time, ordered engrossed; read third time and passed..	525
Approved by Mayor.....	530

LAFAYETTE AND INDIANAPOLIS RAPID RAILWAY COMPANY.

G. O. No. 61, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the fourteenth day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the LaFayette and Indian-

apolis Rapid Railway Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	535
Read first time and referred.....	542

UNION TRACTION COMPANY OF INDIANA.

G. O. No. 51, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

Introduced	439
Read first time and referred.....	448
Read second time, ordered engrossed; read third time and passed	525-6
Approved by Mayor.....	530

INTERURBAN STREET RAILWAY.

G. O. No. 64, 1901. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of November, 1901, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	20
Read first time and referred.....	28
Committee report.....	32
Approved by Mayor.....	57

G. O. No. 19, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 8th day of March, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Indianapolis, Shelbyville and South-eastern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing a time when the same shall take effect.

Introduced	193
Read first time and referred.....	201

G. O. No. 37, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 2d day of June, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Indianapolis, Lebanon & Frankfort Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	310
Read first time and referred.....	318

G. O. No. 49, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon certain streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	413
Read first time and referred.....	430

G. O. No. 50, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Northern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	430
Read first time and referred.....	439
Read second time, ordered engrossed; read third time and passed	526
Approved by Mayor.....	530

G. O. No. 51, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	439
Read first time and referred.....	448
Read second time, ordered engrossed; read third time and passed..	525-26
Approved by Mayor.....	530

G. O. No. 52, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Greenwood and Franklin Railroad Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	449
Read first time and referred.....	456
Read second time, ordered engrossed; read third time and passed..	526

G. O. No. 53, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Lebanon and Frankfort Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets,

and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	457
Read first time and referred.....	464
Read second time, ordered engrossed; read third time and passed..	527

G. O. No. 54, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Plainfield Electric Railroad Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and to build, construct, maintain and operate its railroad over and across certain streets and alleys, and fixing the time when the same shall take effect.

Introduced	465
Read first time and referred.....	472
Read second time, ordered engrossed; read third time and passed	527
Approved by Mayor.....	530

G. O. No. 55, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Martinsville Rapid Transit Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	473
Read first time and referred.....	480
Read second time, ordered engrossed; read third time and passed..	527-8
Approved by Mayor.....	530

G. O. No. 56, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	481
Read first time and referred.....	488
Read second time, ordered engrossed; read third time and passed..	528
Approved by Mayor.....	530

G. O. No. 57, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Eastern Railway Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	489
Read first time and referred.....	496
Read second time, ordered engrossed; read third time and passed..	528

G. O. No. 60, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon the streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	502
Read first time and referred.....	519
Committee report	522
Read second time, ordered engrossed; read third time and passed..	525
Approved by Mayor.....	530

G. O. No. 61, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 14th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Lafayette and Indianapolis Rapid Railway Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	535
Read first time and referred.....	542

G. O. No. 28, 1903. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of May, 1903, between the City of Indianapolis, by and through its Board of Public Works, and the Consolidated Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	809
Read first time and referred.....	817
Committee report	844
Read second time, ordered engrossed; read third time and passed..	847
Approved by Mayor.....	850

LICENSE.

G. O. No. 63, 1902. An ordinance to regulate and license the business and practice of fortune-tellers, astrologists, palmists, and all other persons (except weather forecasters) who assume to foretell future events, and charge a fee or compensation therefor, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Introduced	545
Read first time and referred.....	545

G. O. No. 85, 1902. An ordinance repealing vehicle ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general vehicle ordinance, providing a license on all vehicles, approved November 27, 1893.

Introduced	661
Read first time and referred.....	662
Committee report	695-6
Read second time, ordered engrossed; read third time and passed..	706
Vetoed by Mayor.....	710

LIVERY STABLES.

G. O. No. 2, 1902. An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of livery and feed stables, hereafter erected or established in the City of Indianapolis, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall take effect.

Introduced	107
Read first time and referred.....	109
Committee report	122
Read second time, amended, ordered engrossed; read third time and passed	122
Approved by Mayor.....	124

G. O. No. 2, 1903. An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of livery and feed stables, hereafter erected or established in the City of Indianapolis, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall take effect.

Introduced	684
Read first time and referred.....	685
Committee report	714
Read second time, amended, ordered engrossed; read third time and passed	722
Approved by Mayor.....	725

MARION COUNTY HOT WATER HEATING COMPANY.

G. O. No. 16, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and the Marion County Hot Water Heating Company, whereby said Marion County Hot Water Heating Company, its successors and assigns, is granted the right and authority to enter upon and use the streets, alleys, and public places of, and within, the City of Indianapolis, for the purpose of heating water or steam and generating electricity and distributing and supplying hot water, heat, steam, and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Introduced	163
Read first time and referred.....	170
Committee report	184
Read second time, ordered engrossed; read third time and passed..	185-6
Motion to reconsider vote.....	186
Approved by Mayor.....	187

MARKETS.

- G. O. No. 72, 1901. An ordinance to amend Section 3 of an ordinance entitled: "An ordinance prescribing general regulations for the public markets of the City of Indianapolis, Indiana, prescribing and defining the general powers, functions and duties of the City Market Master, and concerning matters connected with the City Market; repealing certain ordinances, and repealing all ordinances and parts of ordinances in conflict therewith; providing penalties for violation thereof; providing for publication and fixing the time when the same shall take effect," approved March 12, 1894.
- | | |
|---|-----|
| Introduced | 66 |
| Read first time and referred..... | 67 |
| Committee granted additional time for consideration..... | 84 |
| Committee ask for additional time for consideration..... | 99 |
| Committee report | 125 |
| Read second time, ordered engrossed; read third time and failed to pass | 129 |
- G. O. No. 9, 1902. An ordinance to amend Section one (1) of an ordinance entitled an ordinance prescribing general regulations for the public markets for the City of Indianapolis, Ind., prescribing and defining the general power, functions and duties of the City Market Master and concerning matters connected with the City Market, repealing certain ordinances and repealing all ordinances and parts of ordinances in conflict therewith, providing penalties for the violation thereof, providing for publication and fixing the time when the same shall take effect, approved March 12, 1894.
- | | |
|-----------------------------------|-----|
| Introduced | 117 |
| Read first time and referred..... | 117 |
- G. O. No. 82, 1902. An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the City of Indianapolis, and prescribing a penalty for the violation thereof.
- | | |
|---|-----|
| Introduced | 644 |
| Read first time and referred..... | 644 |
| Read second time, ordered engrossed; read third time and passed.. | 663 |
| Approved by Mayor..... | 683 |
- G. O. No. 7, 1903. An ordinance repealing G. O. No. 82, 1902, entitled, "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the City of Indianapolis, and prescribing a penalty for the violation thereof," and fixing the time when the same shall take effect.
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| Introduced | 699 |
| Read first time and referred..... | 699 |
| Committee report | 712 |
| Read second time, ordered engrossed; read third time and passed.. | 724 |
| Vetoed by Mayor..... | 726 |
- G. O. No. 12, 1903. An ordinance to amend Section 1 of G. O. No. 82, 1902, entitled, "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the City of Indianapolis, and prescribing a penalty for the violation thereof."
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| Introduced | 753 |
| Read first time and referred..... | 754 |
| Committee report | 761 |
| Read second time, ordered engrossed; read third time and passed.. | 764 |
| Approved by Mayor..... | 767 |

MAYOR.

Communication from, approving Resolution No. 8, 1901.....	3
Communication from, approving Resolution No. 10, 1901.....	3
Communication from, approving G. O. No. 54, 1901.....	3
Communication from, approving G. O. No. 56, 1901.....	3
Communication from, in reference to resignation of Harold C. McGrew	9
Communication from, approving G. O. No. 64, 1901.....	57
Communication from, approving App. O. No. 16, 1901.....	81
Communication from, approving App. O. No. 17, 1901.....	82
Communication from, approving G. O. No. 65, 1901.....	82
Communication from, approving G. O. No. 63, 1901.....	82
Communication from, approving App. O. No. 20, 1903.....	95
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Communication from, approving App. O. No. 3, 1902.....	158
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Communication from, approving App. O. No. 9, 1902.....	220
Communication from, in reference to natural gas situation.....	220
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Communication from, approving App. O. No. 6, 1902.....	259
Communication from, approving App. O. No. 8, 1902.....	260
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Communication from, approving G. O. No. 24, 1902.....	279-80
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Communication from, in reference to communication from General Memorial Committee. Referred.....	292
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Communication from, approving App. O. No. 18, 1902.....	361
Communication from, approving App. O. No. 17, 1902.....	361
Communication from, approving App. O. No. 14, 1902.....	361
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Communication from, approving G. O. No. 1, 1903.....	709
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Communication from, approving G. O. No. 8, 1903.....	725
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Communication from, approving G. O. No. 4, 1903.....	726
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Communication from, approving App. O. No. 8, 1903.....	786
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Communication from, approving G. O. No. 36, 1903.....	966
Communication from, approving G. O. No. 37, 1903.....	966
Communication from, approving Special O. No. 2, 1903.....	1010
Communication from, approving G. O. No. 39, 1903.....	1010
Communication from, approving G. O. No. 40, 1903.....	1010
Communication from, approving G. O. No. 42, 1903.....	1010
Communication from, approving G. O. No. 43, 1903.....	1010
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Communication from, approving G. O. No. 46, 1903.....	1023
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Communication from, in reference to ordinance providing for transfer of \$5,000 from "Bridge" fund to "Maintenance and Repair of Streets" fund	1060
Communication approving App. O. No. 16, 1903.....	1067
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Communication approving G. O. No. 59, 1903.....	1068
Communication approving G. O. No. 60, 1903.....	1068

MERCHANTS' HEAT AND LIGHT COMPANY.

G. O. No. 39, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and the Merchants' Heat and Light Company, its successors and assigns, whereby said Merchants' Heat and Light Company, its successors and assigns, is granted the right and authority to enter upon and use the streets, alleys, and public places of, and within, the City of Indianapolis, for the purpose of heating water or steam and generating electricity and distributing and supplying hot water, heat, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.	
Introduced	366
Read first time and referred.....	373
Committee report	394
Read second time, ordered engrossed; read third time and passed..	398
Approved by Mayor.....	401

MILK.

G. O. No. 74, 1902. An ordinance to regulate the sale of milk and cream, prescribing the per centum of butter fat and other solids said articles shall contain, providing a penalty for violation of any of its provisions, and repealing all ordinances in conflict therewith.	
Introduced	611
Read first time and referred.....	612
Committee report	639
Read second time, amended, ordered engrossed; read third time and passed	647
Approved by Mayor.....	653

MISCELLANEOUS.

Call for special meeting by President Haldeman, for purpose of announcing standing committees.....	5
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Call for special meeting by Mayor Bookwalter, for purpose of electing a Councilman-at-Large, to fill vacancy caused by resignation of Harold C. Megrew.....	13
Call for special meeting by President Haldeman, for purpose of considering G. O. No. 64, 1901, ratifying contract with Union Traction Company.....	31
Call for special meeting by Mayor Bookwalter, for purpose of considering an ordinance authorizing sale of 197 \$1,000 funding bonds, in order to pay temporary loans.....	37-39
Call for special meeting by Mayor Bookwalter, for purpose of passing G. O. No. 67, 1901, and App. O. No. 18, 1901.....	47
Call for special meeting by Mayor Bookwalter, for purpose of considering an ordinance appropriating \$196,455.38, to pay temporary loans.....	53
Communication of "League of American Municipalities." Referred.....	67
Call for special meeting by Mayor Bookwalter, November 25, 1901, for purpose of considering App. No. 21, 1901, an ordinance appropriating \$196,455.38.....	71
Call for special meeting by five members, November 30, 1901.....	75
Call for special meeting by Mayor Bookwalter, November 30, 1901.....	79
Call for special meeting by President Haldeman, January 7, 1902, for purpose of taking action on G. O. No. 2, 1902.....	121
Call for special meeting by Mayor Bookwalter, January 22, 1902, for purpose of considering and taking action on an ordinance providing for erection and construction of a building on the Hospital Grounds, for the detention of and treatment of smallpox and other contagious diseased patients, and appropriating \$2,500 for such purpose.....	131
Call for special meeting by five members, January 24, 1902, for purpose of taking action on App. O. No. 1, 1902.....	135
Call for special meeting by Mayor Bookwalter, January 30, 1902, for purpose of considering an ordinance providing for erection and construction of a building on the Hospital Grounds, for the detention of and treatment of contagious diseased patients, and appropriating \$2,500 for such purpose. And for the purpose of considering an ordinance appropriating \$2,000 for the Contagious Disease Fund.....	139
Call for special meeting by five members, February 7, 1902, for purpose of passing G. O. No. 73, 1901.....	153
Call for special meeting by Mayor Bookwalter, March 26, 1902, for purpose of passing App. O. No. 5, 1902; also for considering an ordinance appropriating \$5,000 for use of Department of Public Health and Charities; also for purpose of appropriating money to pay for "Irvington Bonds".....	209
Call for special meeting by Mayor Bookwalter, March 27, 1902, for purpose of passing App. O. No. 5, 1902; also for considering an ordinance appropriating \$5,000 for use of Department of Public Health and Charities; also for purpose of appropriating money to pay for "Irvington Bonds".....	211
Call for special meeting by President Haldeman, April 3, 1902, for purpose of taking action on the death of wife of Lew. W. Cooper.....	217
Call for special meeting by five members, April 30, 1902, for purpose of taking action on the death of mother of James E. Berry.....	277
Communication from General Memorial Committee, requesting Council to appropriate \$200 to defray expenses of Memorial Day. Referred.....	291-2
Communication from "Indianapolis Flower Mission" in reference to Hospital for care of persons suffering with incurable diseases. Referred.....	292-3
Communication from General Memorial Committee, inviting Council to participate in parade and memorial exercises. Accepted....	299

Call for special meeting by Mayor Bookwalter, June 9, 1902, for purpose of considering an ordinance appropriating \$13,500 to erect a pesthouse; also an ordinance appropriating \$750 for use of Department of Public Health and Charities; also an ordinance appropriating money for the Contagious Fund. Referred.....	327-8
Communication from Superintendent of Police, recommending appointment of additional patrolmen—referred.....	393
Communication from Board of Trade urging passage of ordinance granting E. C. Atkins & Co. right to construct sidetrack—referred	397
Call for special meeting by Mayor Bookwalter, for purpose of taking action on ordinance ratifying a contract with the Indianapolis Traction and Terminal Company.....	501
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Call for special meeting by Mayor Bookwalter for purpose of passing G. O. No. 68, 1902, an ordinance directing tax levy for year of 1902; also App. O. No. 24, 1902, an ordinance appropriating money for general purposes for year 1902.....	595
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Election of councilman-at-large.....	651
Election of president of common council.....	662
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Communication from General Memorial Committee requesting council to appoint committee of three to co-operate with Memorial Committee—referred	793
Communication from D. H. Olive, requesting appropriation to defray necessary expenses for observance of Memorial Day—referred	798
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Call for special meeting by Mayor Bookwalter for purpose of passing Sp. O. No. 1, 1903, and G. O. No. 35, 1903.....	911
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Communication from Thos. W. Palmer, presenting city council with a new street and alley map of City of Indianapolis.....	1070
Call for special meeting by President Billingsley for purpose of substituting inspectors to fill vacancies.....	1075

MOTIONS.

That a special committee on rules of common council be appointed—carried	4
That rules of the preceding council govern until further consideration—carried	4
To reconsider vote by which G. O. No. 67, 1903, was passed, Dec. 2, 1901—lost	91
That Mayor Bookwalter be granted privilege of the floor for purpose of explaining to members of council the position of city administration regarding smallpox situation—lost.....	142-3
That committee of three be appointed to represent council in Memorial Day committee—carried.....	185
That vote by which G. O. No. 16, 1902, was passed be reconsidered at next regular meeting—lost.....	186
That all communications relating to gas question be referred to Committee on Contracts and Franchises—carried.....	245
That vote by which G. O. No. 20, 1902, was passed, be reconsidered	256
That vote by which G. O. No. 8, 1902, was passed be reconsidered—lost	257
That G. O. No. 25, 1902, be taken from committee—carried.....	389
That vote by which G. O. No. 67, 1902, was passed be reconsidered—lost	605
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That G. O. No. 79, 1902, be taken from committee—carried.....	692
To suspend constitutional rules for purpose of placing App. O. No. 8, 1903, on final passage—carried.....	782
That committee of three be appointed to represent council in Memorial Day committee—carried.....	793
That G. O. No. 13, 1903, and G. O. No. 14, 1903, be taken out of hands of committee and be read second time—carried.....	794

To suspend constitutional rules for purpose of placing App. O. No. 11, 1903, on final passage—carried.....	828
To suspend constitutional rules for purpose of placing App. O. No. 14, 1903, on final passage—carried.....	839
That vote by which G. O. No. 53, 1903, was passed be reconsidered—lost	1022
That council tender its thanks to officers of council for courtesies extended—adopted	1073

NATURAL GAS.

G. O. No. 4, 1902. An ordinance to ascertain and fix the price at which natural gas shall be supplied to the inhabitants of the City of Indianapolis.	
Introduced	109
Read first time and referred.....	111
Taken out of hands of Committee on Public Health and referred to Committee on Public Safety and Comfort.....	937
Communication from Mayor in reference to natural gas situation—referred	220-21
Communication from Indianapolis Gas Company in reference to natural gas situation—referred.....	245-254
Various communications in reference to natural gas situation—referred	254-256
G. O. No. 29, 1902. An ordinance to ascertain and fix the price at which natural gas shall be supplied to the inhabitants of the City of Indianapolis.	
Introduced	243
Read first time and referred.....	244
Communication from Mayor and Indianapolis Gas Company in reference to natural gas situation.....	402-3
Called from committee and re-referred.....	548
Additional time for consideration granted.....	613
Committee report	620-1

NUISANCE—PUBLIC.

G. O. No. 1, 1902. An ordinance amending Section two (2) of G. O. No. 78, 1898, being an ordinance entitled "An ordinance declaring the emission into the open air of dense smoke, containing soot or other deleterious substances, from the smokestacks, chimneys or flues of any building or structure within the City of Indianapolis, to be a nuisance, and prohibiting the same, providing penalties for the violation thereof, and fixing a time when the same shall take effect."	
Introduced	107
Read first time and referred.....	107

PEST HOUSE.

Sp. O. No. 3, 1902. An ordinance to amend Section 1 of App. O. No. 16, 1902, by striking out from said section of said ordinance the following words: "located not less than three-quarters of a mile from the city limits;" and fixing a time when the same shall take effect.	
Introduced	661
Read first time and referred.....	661
Committee report—majority	665
Committee report—minority	666
Read second time, ordered engrossed; read third time and passed..	667
Approved by Mayor.....	669

PETITIONS.

From property owners on Bellefontaine street, requesting that name of said street, between Twenty-first and Twenty-third streets, be changed to Ashland avenue—referred.....	65-66
From property owners on Bellefontaine street, remonstrating against changing name of said street—referred.....	66
From property owners, requesting that territory as described in G. O. No. 59, 1903, be annexed—referred.....	498-99
From Market Dealers' Order, asking for enclosure over Market place—referred.....	584-91
From property owners, requesting that name of Rhode Island street be changed to Colton street.....	778
From property owners, requesting change of name of Marlowe avenue to New York street—referred.....	839
From property owners remonstrating against changing name of East New York street or Marlowe avenue—referred.....	846

PETROLEUM, GASOLINE, ETC.

G. O. No. 38, 1903: An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of warehouses, storerooms, tanks or other structures for the receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oils in quantities exceeding one hundred gallons, fixing a penalty for the violation thereof, providing for the publication thereof and fixing a time when the same shall go into effect.	
Introduced	937
Read first time and referred.....	937
Committee report	968-9
G. O. No. 51, 1903. An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of warehouses, storerooms, tanks, or other structures for the receptacle, deposits or storage of petroleum, gasoline or other fuel or illuminating oils in quantities exceeding four hundred barrels, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall go into effect.	
Introduced	991
Read first time and referred.....	991

PLUMBING INSPECTOR.

G. O. No. 32, 1902. An ordinance providing for the appointment of an Inspector of Plumbing and House Drainage, prescribing his qualifications, powers, duties and salary, and providing for the appointment of a Board of Registration and Examination, prescribing the manner of licensing master plumbers, providing for license fees, prescribing the mode and manner of plumbing and house drainage in the City of Indianapolis; prescribing the penalties for the violation thereof and providing for the publication thereof, and fixing the time when the same shall take effect.	
Introduced	267
Read first time and referred.....	272
Committee report	307-8
Printed in full in amended form.....	319-324
Read second time, amended, ordered engrossed; read third time and passed	723-24
Vetoed by Mayor.....	726

PRECINCT BOUNDARIES.

G. O. No. 35, 1903. An ordinance fixing the boundaries of the voting precincts of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Introduced	860
Read first time and referred.....	910
Committee report	912
Read second time, ordered engrossed; read third time and passed..	912
Approved by Mayor.....	916

G. O. No. 42, 1903. An ordinance to amend G. O. No. 35, 1903, and to correct inaccuracies of description therein.

Introduced	952
Constitutional rule suspended, read second time, ordered engrossed; read third time and passed.....	961-2
Approved by Mayor.....	1010

PUBLIC HEALTH.

G. O. No. 15, 1902. An ordinance providing for treatment of consumptives at the City Hospital.

Introduced	150
Read first time and referred.....	150

G. O. No. 74, 1902. An ordinance to regulate the sale of milk and cream, prescribing the per centum of butter fat and other solids said articles shall contain, providing a penalty for violation of any of its provisions, and repealing all ordinances in conflict therewith.

Introduced	611
Read first time and referred.....	612

RAILROADS.

G. O. No. 3, 1902. An ordinance requiring the Indianapolis & Vincennes Railroad Company to station and maintain one flagman at the crossing of Ray and Dover streets, in the City of Indianapolis, by the tracks of said company, and providing a penalty for its violation and fixing a time for its taking effect.

Introduced	109
Read first time and referred.....	109

G. O. No. 5, 1902. An ordinance requiring the Indianapolis Union Railway Company to station a flagman at Bluff avenue where the tracks of the said company cross the same, providing a penalty for the violation thereof, and fixing the time when the same shall take effect.

Introduced	111
Read first time and referred.....	111
Committee report	127
Read second time, ordered engrossed; read third time and passed..	129
Approved by Mayor.....	157

G. O. No. 11, 1902. An ordinance requiring the Lake Erie & Western Railroad Company, the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, and the Chicago, Indianapolis and Louisville Railway Company, to station a flagman at the crossing of East New York street and the railway tracks of said companies, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Introduced	128
Read first time and referred.....	128
Committee report	147
Read second time, ordered engrossed; read third time and passed..	151
Approved by Mayor.....	158

G. O. No. 13, 1902. An ordinance requiring the Belt Railroad of Indianapolis to station and maintain a flagman at Singleton street, where the tracks of said company cross the same, providing a penalty for violation thereof, and fixing a time when same shall take effect.

Introduced	149
Read first time and referred.....	149
Committee report	261
Read second time, ordered engrossed; read third time and passed..	273
Approved by Mayor.....	280

G. O. No. 20, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the seventeenth day of March, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Southern Railway, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the City of Indianapolis, and to maintain same and operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

Introduced	201
Read first time and referred.....	206
Committee report	223
Read second time, ordered engrossed; read third time and passed..	256
Approved by Mayor.....	259

G. O. No. 26, 1902. An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to keep and maintain flagmen at English avenue and Fletcher avenue crossings.

Introduced	238
Read first time and referred	239
Committee report	285
Read second time, amended, ordered engrossed; read third time and passed	294
Approved by Mayor.....	295

G. O. No. 58, 1902. An ordinance requiring a flagman at the crossing of Fletcher avenue and the Cleveland, Cincinnati, Chicago and St. Louis Railway Company.

Introduced	497
Read first time and referred.....	497
Committee report	534
Read second time, ordered engrossed, read third time and passed..	548

G. O. No. 65, 1902. An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company to station a flagman at the corner of East North street and the railroad tracks of said company, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Introduced	546
Read first time and referred.....	546
Committee report	621
Read second time, ordered engrossed; read third time and passed..	633
Approved by Mayor.....	635

G. O. No. 13, 1903. An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the crossing of Georgia street, by the tracks of said company, and fixing a time for its taking effect.

Introduced	754
Read first time and referred.....	754
Re-referred	794
Committee report	801
Read second time, ordered engrossed; read third time and passed	822
Approved by Mayor.....	829

G. O. No. 14, 1903. An ordinance requiring the Lake Erie & Western Railroad Company, the Chicago, Indianapolis and Louisville Railroad Company, to station and maintain a flagman at the crossing of Sixteenth street, by the tracks of said companies, and fixing a time for its taking effect.

Introduced	755
Read first time and referred.....	755
Re-referred	794
Committee report	801
Read second time, ordered engrossed; read third time and passed..	822
Approved by Mayor.....	829

G. O. No. 18, 1903. An ordinance regulating the manner of operation and speed of locomotives, cars and trains.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall be unlawful for any person, firm or corporation to run, operate or propel, or suffer, allow or permit any steam railway locomotive, car or train of cars, to be operated or propelled on or over any track in the City of Indianapolis, at a rate of speed in excess of six miles per hour.

Introduced	774
Read first time and referred.....	775

G. O. No. 20, 1903. An ordinance requiring the Lake Erie & Western Railroad Company, the Chicago, Indianapolis & Louisville Railroad Company, to station and maintain a flagman at the crossing of Twenty-fifth street, by the track of said companies, and fixing a time for its taking effect.

Introduced	775
Read first time and referred.....	775
Committee report	787
Read second time, ordered engrossed, read third time and passed..	795
Approved by Mayor.....	797

G. O. No. 21, 1903. An ordinance to regulate the running of locomotives and cars, in the City of Indianapolis, to prevent accidents at crossings and to protect human life.

Introduced	776
Read first time and referred.....	777
Committee report	941
Read second time and stricken from files.....	945

G. O. No. 25, 1903. An ordinance requiring the Lake Erie & Western Railroad and the Chicago, Indianapolis & Louisville Railway Company to erect, operate and maintain safety gates and a watchman's tower at the point in the City of Indianapolis, Indiana, where the tracks of said railroad companies cross Thirteenth street; defining the duties of said railroad companies in relation to such safety gates and watchman's tower; providing penalties for the violation thereof; providing for the publication thereof, and fixing a time when the same shall take effect.

Introduced	792
Read first time and referred.....	793
Committee report	833
Read second time, ordered engrossed; read third time and passed..	841
Approved by Mayor.....	843

G. O. No. 50, 1903. An ordinance requiring the Indianapolis Union Railway Company to station and maintain a flagman at the crossing of West Market street and the tracks of the said railway company, in the City of Indianapolis, Indiana.

Introduced	990
Read first time and referred.....	991
Committee report	1015
Read second time, ordered engrossed; read third time and passed	1021
Approved by Mayor.....	1023-4

G. O. No. 53, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-fourth day of August, 1903, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Logansport and Chicago Railway Company, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the City of Indianapolis, and to maintain the same and operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

Introduced	997
Read first time and referred.....	1003
Committee report	1012-13
Read second time, ordered engrossed; read third time and passed..	1021-2
Approved by Mayor.....	1024

RESIGNATIONS.

Resignation of Harold C. Megrew, councilman-at-large, accepted..	10-11
Resignation of H. M. Haldeman, president of the council, accepted	631

RESOLUTIONS.

Resolution No. 12, 1901. Resolved, That it is the wish of the common council that no street cars or heavy vehicles be allowed to cross the bridge across White River at Washington street, until it has been examined by experts and pronounced safe for such travel	100
Referred to committee.....	101

Resolution No. 1, 1902. Be it resolved by the Common Council. That the Board of Public Works be and is hereby requested that in granting any franchise in the future when the use of poles or supports for wires are necessary, that they compel the use of the poles or supports already erected as far as is practicable, and in granting any franchise in the future the joint use of the poles or supports erected shall be enforced.

W. A. RHODES.	
Referred to committee.....	185

Resolution No. 2, 1902.

Whereas, An all-wise Providence has visited our esteemed fellow-member, Lew W. Cooper, with the greatest of all bereavements, the death of his wife; therefore,

Be it Resolved, That we extend to our said member the heartfelt sympathy and condolence of this body in this hour of his sorrow;

assuring him of our sincerest consideration and remembrance of his great misfortune; and

Be it Further Resolved, That an engrossed copy of this resolution be prepared by the Clerk of this body, and transmitted to our said fellow-member, in testimony of our sympathy and remembrance.

ANDREW H. WAHL.

Introduced	217
Adopted	217-18
Approved by Mayor April 4, 1902.	

Resolution No. 3, 1902. Whereas, Julius C. Haag, a reputable citizen of Indianapolis, has in writing proposed to pay to the stockholders of the Consumers' Gas Trust Company, of this city, the full value, principle and interest of all outstanding certificates of stock of said company, and all liabilities of every description, upon the transfer of all of the property of every kind and description of said Consumers' Gas Trust Company to him, and to pay in addition thereto to the City of Indianapolis the sum of three hundred thousand (\$300,000) dollars in cash, and to furnish a good and sufficient bond for the faithful carrying out of his proposal; therefore,

Be it resolved, That the Mayor and Board of Public Works are earnestly requested to aid in every lawful manner the said Julius C. Haag in carrying out his proposal, to the end that the City of Indianapolis may receive in cash the sum of three hundred thousand dollars (\$300,000).

JAMES E. BERRY.

Introduced	272
Referred to committee.....	273

Resolution No. 4, 1902. Whereas, the shadow of death has visited the home of our fellow member, James E. Berry, and he has suffered the loss of a kind and loving mother; therefore be it

Resolved, By this common council now assembled, That we extend to our said fellow member our most sincere sympathy in this hour of his sorrow; and we hereby extend to him our assurance of the kindest remembrance in his bereavement; and be it further

Resolved, That a copy of these resolutions be engrossed by the City Clerk, and transmitted to the home of our said fellow member, James E. Berry.

H. E. NEGLEY.

Introduced	277
Adopted	277-8
Approved by Mayor, May 1, 1902.	

Resolution No. 5, 1902. Be it resolved by the Common Council of the City of Indianapolis, That permission and authority are hereby given the Gentry Dog and Pony Show, to exhibit the said show at any place in this city outside of the area bounded by North street, East street, South street, and West street, at any time during the year 1902, upon payment to the City Comptroller of the usual license fee charged by the city for such shows and exhibitions.

And said Gentry Dog and Pony Show is hereby authorized to give its exhibitions without first procuring the written consent of the resident voters within one square of the place where such show and exhibitions are given.

JNO. H. CRALL.

Introduced	291
Adopted	291
Approved by Mayor, May 6, 1902.	

Resolution No. 6, 1902. Whereas, The rules of this Common Council as now in effect, make it possible for a period of ten days to elapse after

any given meeting of the Council before the printed journal of such meeting is delivered to the members thereof; and

Whereas, The full amount of time permitted, and sometimes more, is taken to have such journal printed and delivered to the members; therefore, be it

Resolved, by the Common Council of the City of Indianapolis, Indiana, That the standing Committee on Rules is hereby directed to prepare and introduce, at the next regular meeting of this Council, such amendment to the rules as will result in having the proceedings of all meetings of this body printed and delivered to each member thereof within one week from the date of such meeting.

H. E. NEGLEY.

Introduced 397

Adopted 397

Approved by Mayor, July 22, 1902.

Resolution No. 7, 1902. Whereas, President Haldeman has tendered his resignation as a member of the City Council on account of his removal from the city; and

Whereas, Mr. Haldeman, while President of the Council, has at all times been a painstaking and conscientious officer, and has won the esteem of his fellow-members of the Common Council; therefore, be it

Resolved, That a vote of thanks be tendered him by the members of this Council for the fair and impartial manner in which he has presided, and for the courtesy shown at all times to his fellow-members.

Resolved further, That a copy of these resolutions be spread on the minutes, and that the Clerk be instructed to forward a copy to Mr. Haldeman.

J. H. CRALL.

J. S. HOLLIDAY.

J. E. BERRY.

Introduced 645

Adopted 646

Approved by Mayor, December 2, 1902.

Resolution No. 1, 1903. Whereas, It is believed to be of great importance to the City of Indianapolis that there shall be an early decision from the Indiana Supreme Court on the case involving the authority of the city to require elevation of steam railroad tracks at crossings of streets, said case having been appealed to the Supreme Court by the city from a ruling by the Marion County Superior Court; therefore, be it

Resolved, That the Common Council of the City of Indianapolis directs the City Attorney of said city to take all possible steps to obtain an early decision on the case from the Supreme Court, and also directs that there shall be no dismissal or compromise of said case unless ordered by action of this Council.

J. H. CRALL.

Introduced 686

Adopted 686

Resolution No. 2, 1903: Whereas, Steps have been taken by the officers of the city of Indianapolis for the location and erection of what is commonly known as the pesthouse, near the ground now occupied by the City Hospital, and temporary buildings have been provided at said new location for the treatment of persons having smallpox; and

Whereas, On account of the inadequate provisions made for the treatment of such persons, men, women and children are crowded and kept in the same rooms; and

Whereas, On account of the thickly populated portion of the city bordering upon the place where said pesthouse is now located there is great danger of the spread of smallpox therefrom, and the location thereof will result in a depreciation of at least 33 per cent. in value of the real estate in that vicinity, thereby resulting in a practical confiscation of a portion of such property and working a great injustice to the owners thereof, who are, as a rule, persons of very moderate means; and

Whereas, Said pesthouse was formerly located upon a tract of about eleven acres of ground situated a short distance north of the Indiana-avenue bridge and between Fall creek and the levee west of said creek, which location was not in any way surrounded with residences and there was no danger of the spread of the disease therefrom, and many of the leading physicians of the city have expressed the opinion that the old location was the best suited for a hospital for the treatment of contagious diseases, and that there was danger of the spread of the disease from the present location on account of the thickly populated portion of the city bordering upon it; and

Whereas, By reason of the large tract of ground at the old location a hospital could be erected in the center thereof, making it impossible for residences ever to be erected near enough to it to cause danger of a spread of the disease therefrom; now, therefore, be it

Resolved, By the Common Council of the city of Indianapolis, Indiana, That the Mayor, Board of Public Works and Board of Commissioners of Public Health and Charities be and they are hereby requested to take no further steps looking to the location of a pesthouse upon the present site near the City Hospital, but to take immediate steps looking to the erection of a permanent and adequate hospital building upon the old location north of the Fall creek bridge, and that a building, modern and complete, suitable for the treatment of persons afflicted with smallpox and other contagious diseases, be begun at once upon said last named location, and the work thereon pushed as rapidly as possible to the completion of the same, so that persons afflicted with smallpox can be taken and treated therein without endangering their lives and without bringing them in contact with revolting conditions, and that the plans for such new hospital shall provide for a suitable heating and electric lighting plant in connection with the same, so that such building can be so heated and lighted as to render comfortable, in every way so far as possible, those patients who are treated therein; and be it further

Resolved, That the Common Council now declares that it will, at any time, upon the proper request, appropriate sufficient funds to erect and equip a suitable hospital for the treatment of contagious diseases at the old location north of the Fall creek bridge.

ANDREW H. WAHL.

ED. G. SOURBIER.

Introduced	704
Adopted	705

Resolution No. 3, 1903. Whereas, The members of the Common Council of the City of Indianapolis, Indiana, have heard with the deepest feeling of regret of the death of their fellow townsman and former member of the Common Council, Edward E. Bernauer; and

Whereas, We recognize that in his death the City of Indianapolis has lost one of its active and energetic citizens; now, therefore, be it

Resolved, By the Common Council of the City of Indianapolis, Indiana, That we extend our sympathy and condolence to the widow and family of the deceased in this hour of their bereavement; and be it further

Resolved, That these resolutions be spread upon the minutes of the

proceedings of the Common Council and that a copy thereof be presented to the widow and family of the deceased.

Introduced	705
Adopted	706
Approved by Mayor, February 3, 1903.	

Resolution No. 4, 1903. Whereas, We, the representatives of the people, in the City Council, do believe that harmless entertainment is a benefit, rather than a detriment, to our people; and

Whereas, A bill is now pending in the Legislature that will permit of Sunday baseball, and by virtue of our office we are brought in close contact with the voters in the various wards, and find the sentiment strongly in favor of the same; be it hereby

Resolved, That we, the Indianapolis City Council, in regular session, indorse Sunday baseball, and petition the General Assembly of Indiana to enact a bill legalizing the same; and we, furthermore, petition the Marion county delegation to use their best efforts to acquire this right for our city.

GUSTAV J. T. MEYER.

Introduced	755
Motion to adopt, tabled.....	755-6

Resolution No. 5, 1903. Whereas, We, the Common Council, approve the recommendation of the Mayor in his communication to us of the resolution of the Board of Public Works in reference to the investigation of certain charges made against said Board and the several members thereof; therefore, be it

Resolved, That said communication be referred to the Committee on Investigation and Impeachment, with instructions to proceed at once to investigate said charges and report to this body.

JOHN H. CRALL.

Introduced	777
Adopted	777
Approved by Mayor, April 7, 1903.	

Resolution No. 6, 1903. Whereas, People are being frequently killed or injured on the railroad crossings in Indianapolis;

Whereas, Such efforts as have thus far been made have failed to induce the railroad companies to take proper steps for adequate protection of the public from the dangers and inconveniences of grade crossings in Indianapolis; and

Whereas, The Mayor has asked that steps be taken by the Common Council to secure such protection for the public; therefore, be it

Resolved, That a committee of five members of the Council be appointed to investigate present conditions as to grade crossings in Indianapolis, with instructions to ascertain whether the ordinances of said city for protection of the public are being enforced, whether there is any neglect of duty by any officials of said city in the matter of enforcing ordinances for the protection of the public at grade crossings, and that said committee shall report the results of its investigations to this Council, without delay, in order that there may be further action by this Council toward securing protection to the public at said grade crossings.

G. J. T. MEYER.

Introduced	778-9
Adopted	779
Approved by Mayor, April 7, 1903.	

Resolution No. 7, 1903. Whereas, The regular Investigation Committee is too busy to take up another investigation at this time.

Resolved, That the President appoint a special committee of three to examine into the charges made by the executive committee of the Citizens' League of Indianapolis in its letter dated May 1, 1903, said

committee to examine records of City Clerk and Police Judge, and report the conditions and facts to the Council as they find them.

T. A. WYNNE.

Introduced	821
Adopted	821
Approved by Mayor, May 5, 1903.	

Resolution No. 8, 1903. Be it resolved by the Common Council of the City of Indianapolis, Indiana, That permission and authority are hereby given the Gentry Dog and Pony Show, to exhibit the said show at any place in this city, outside of the area bounded by North street, East street, South street and West street, at any time during the year 1903, upon payment to the City Comptroller of the usual license fee charged by the city for such shows and exhibitions.

Introduced	838
Adopted	839
Approved by Mayor, May 19, 1903.	

Resolution No. 9, 1903. Resolved, That James T. Layman, or those he may direct, shall have the privilege of shooting blackbirds on his residence grounds at Irvington, Ind.

The blackbirds in endless numbers roost on his trees, make the sidewalks and grounds filthy and thereby have become a great nuisance.

Introduced and referred	992
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Resolution No. 10, 1903. Be it resolved by the Common Council of the City of Indianapolis, That the persons whose names are hereby set forth be and they are hereby appointed and are hereby declared to be elected as election inspectors, for the several precincts of the City of Indianapolis, as hereinafter designated, to serve at the election to be held in said city on the 13th day of October, 1903, for the election of certain officers then and there to be voted for. Which names of said inspectors and the several precincts in which they are to act, respectively, are as follows, to wit:

Introduced	1050-1
Adopted	1055
Approved by Mayor, September 24, 1903.	

Resolution No. 11, 1903. Whereas, No provision has been made for indexing the proceedings of the Common Council of the City of Indianapolis, and the same are practically worthless without an index; and,

Whereas, A custom has been established by the Common Council of former administrations, making allowance to the person indexing the proceedings; therefore,

Be it resolved by the Common Council of the City of Indianapolis, Indiana, That the City Comptroller of said City of Indianapolis be and hereby is authorized and directed to pay Charles N. Elliott, the present City Clerk, the sum of three hundred (\$300.00) dollars for preparing the index to Journal of Common Council Proceedings from October 10, 1901, to October 5, 1903, and said City Comptroller is hereby authorized and directed to draw a proper warrant therefor and charge the same to the existing appropriation to the Finance Department for miscellaneous expenses of city officers.

Introduced	1055
Adopted	1055
Approved by Mayor, September 24, 1903.	

Resolution No. 12, 1903. Whereas, Thomas W. Palmer, draughtsman, has presented this Common Council with an up-to-date and corrected wall map of the City of Indianapolis, to be used by this body in the transac-

tion of the City's business; and agrees to keep said map corrected up in the future free of charge; now, therefore,

Be it resolved by the Common Council of the City of Indianapolis, Indiana, That said map is now accepted on behalf of said City, and this body tenders its thanks to Mr. Palmer therefor.

H. E. NEGLEY.

Introduced	1070
Adopted	1070
Approved by Mayor, October 14, 1903.	

Resolution No. 13, 1903. Whereas, Changes have become necessary in the list of Election Inspectors for the city election to be held on October 13, 1903, in the City of Indianapolis, Indiana, as set out in Resolution No. 10, 1903; now, therefore,

Be it resolved by the Common Council of the City of Indianapolis, Indiana, That the following names be substituted in the following named and designated precincts, as Election Inspectors in and for said precincts; and the following named qualified electors are hereby appointed Election Inspectors in said precincts, to wit:

H. E. NEGLEY.

Introduced	1071
Adopted	1071
Approved by Mayor, October 14, 1903.	

Resolution No. 14, 1903. Whereas, Changes have become necessary in the list of Election Inspectors for the city election to be held on October 13, 1903, in the City of Indianapolis, Indiana, as set out in Resolution X, Numbered 10, 1903, and 13, 1903; now, therefore,

Be it resolved by the Common Council of the City of Indianapolis, Indiana, That the following names be substituted in the following named and designated precincts, as Election Inspectors in and for said precincts; and the following named qualified electors are hereby appointed Election Inspectors in said precincts, to wit:

Introduced	1075-6
Adopted	1076

SALARIES.

General Ordinance No. 74, 1901. An ordinance to amend Section two (2) of an ordinance entitled, "An ordinance authorizing the employment of certain clerks, assistants and employes, and providing for the compensation of certain officers, heads of departments, clerks and employes, fixing the compensation, salary and wages of certain officers, clerks and employes of the City of Indianapolis, Indiana, repealing all conflicting ordinances and fixing the time when this ordinance shall take effect," the same being General Ordinance No. 79, 1893, passed by the Common Council of the City of Indianapolis, January 15, 1894, and in force January 18, 1894, repealing conflicting ordinances and fixing a time when the same shall take effect.

Introduced	99
Read first time and referred	99
Committee report	105-6
Read second time, amended, ordered engrossed; read third time and passed	118-19
Approved by Mayor	123

G. O. No. 35, 1902. An ordinance regulating the Fire Department and establishing and fixing the compensation of the members thereof.

Introduced	297
Read first time and referred	298

G. O. No. 43, 1902. An ordinance grading certain members of the fire force of the City of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.	
Introduced	387
Read first time and referred.....	388
Committee report	531-2
Read second time, amended, ordered engrossed; read third time and passed	592-93
Vetoed by Mayor	604-5
G. O. No. 6, 1903. An ordinance fixing the salary of the Clerk of the Department of Health and Charities, and repealing all ordinances in conflict therewith.	
Introduced	699
Read first time and referred.....	699
G. O. No. 49, 1903. An ordinance grading certain members of the fire force of the city of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force, repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.	
Introduced	989
Read first time and referred.....	990
Committee report	1062-3
Read second time, amended, ordered engrossed; read third time and passed	1065
Approved by Mayor.....	1068

SCALES, WEIGHTS AND MEASURES.

G. O. No. 28, 1902. An ordinance to authorize the inspection of scales, weights and measures, the appointment of an inspector, and defining his duties and compensation.	
Introduced	240
Read first time and referred.....	243
Committee report	355
Read second time, amended, ordered engrossed; read third time and passed	360
Approved by Mayor.....	362

SMOKE.

G. O. No. 1, 1902. An ordinance amending Section two (2) of General Ordinance No. 78, 1898, being an ordinance entitled "An ordinance declaring the emission into the open air of dense smoke, containing soot or other deleterious substances, from the smokestacks, chimneys or flues of any building or structure within the City of Indianapolis, to be a nuisance, and prohibiting the same, providing penalties for the violation thereof, and fixing a time when the same shall take effect."	
Introduced	107
Read first time and referred.....	107

JOHN E. CHRISTIAN.

G. O. No. 81, 1902. An ordinance approving a certain contract giving John E. Christian, of the City of Indianapolis, permission to use the	
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streets, alleys, and public places within the City of Indianapolis in the territory bounded by Alabama street on the east, St. Clair street on the south, Delaware street on the west and Pratt street on the north, for the purpose of generating steam and distributing and supplying steam heat, by the means of pipes and appurtenances underground.

Introduced	640
Read first time and referred.....	644
Committee report	656
Read second time, ordered engrossed; read third time and passed..	664
Approved by Mayor	670

STREETS.

ALLEY (WEST OF CALIFORNIA).

G. O. No. 66, 1901. An ordinance to provide a name for the first alley west of California street, and running south from St. Clair street to Indiana avenue, and providing that the same shall henceforth be known as "Utica street;" and fixing a time when said ordinance shall take effect.

Introduced	29
Read first time and referred	29
Committee report	98
Read second time, ordered engrossed; read third time and passed..	101
Approved by Mayor, December 24, 1902.	

ALLEY (NORTH OF NORTH STREET).

G. O. No. 44, 1902. An ordinance naming the first alley north of North street, extending from Pennsylvania street to Ft. Wayne avenue, in the City of Indianapolis, Indiana, "Bye street," and fixing a time when the same shall take effect.

Introduced	366
Read first time and referred	366
Committee report	395
Read second time, ordered engrossed; read third time and passed..	398
Approved by Mayor	401-2

ALLEY (NORTH OF OHIO STREET).

G. O. No. 61, 1903. An ordinance giving the name of "Marlowe avenue" to the first alley north of Ohio street, extending from Dorman street to Harvey street.

Introduced	1050
Read first time and referred	1050
Read second time, ordered engrossed; read third time and passed..	1072-3
Approved by Mayor, October 14, 1903.	

APPLE TREE LANE.

G. O. No. 32½, 1902. An ordinance changing the name of the street known as "Apple Tree Lane," to that of Larch street, and fixing a time when the same shall take effect.

Introduced	275
Read first time and referred	275
Committee report	297
Read second time, ordered engrossed; read third time and passed..	3010-1
Approved by Mayor.....	304

BELLEFONTAINE STREET.

G. O. No. 71, 1901. An ordinance changing the name of Bellefontaine street, between Twenty-first street and Twenty-third street, to Ashland avenue.

Introduced	65
Read first time and referred	65
Petition requesting passage of ordinance	65-66
Petition that ordinance be not passed	66
Committee report	106
Read second time, ordered engrossed; read third time and passed ..	118
Approved by Mayor	124

ELM AVENUE.

G. O. No. 10, 1903. An ordinance providing for the change of the name of Elm avenue to Tennyson avenue, and fixing the time when the same shall take effect.

Introduced	720
Read first time and referred	720
Committee report	760
Read second time, amended, ordered engrossed; read third time and passed	764
Approved by Mayor	767

CORNELL AVENUE.

G. O. No. 14, 1902. An ordinance changing the name of that portion of Cornell avenue extending from Twenty-first street north to Twenty-third street, to the name of "Bellefontaine street," and fixing the time when the same shall take effect.

Introduced	151
Read first time and referred	151
Committee report	162
Read second time, ordered engrossed; read third time and passed ..	163
Approved by Mayor	175

DEWEY AVENUE.

G. O. No. 46, 1902. An ordinance changing the name of Dewey avenue to that of Andrews avenue, and fixing the time when the same shall take effect.

Introduced	396
Read first time and referred	396

GREENBRIAR LANE.

G. O. No. 65, 1901. An ordinance changing the name of that portion of Greenbriar Lane extending from an extension of the north property line of Bloyd avenue to Hillside avenue, and including that portion of such extension which is sometimes known as Fernway avenue, to "Bloyd avenue;" and fixing a time when the same shall take effect.

Introduced	28
Read first time and referred	29
Committee report	62
Read second time, ordered engrossed; read third time and passed ..	68
Approved by Mayor	82

MEEK STREET.

G. O. No. 25, 1902. An ordinance changing name of Meek street.

Introduced	238
Read first time and referred	238
Motion that ordinance be called from committee. Carried	389
Read second time, ordered engrossed; read third time and passed ..	389
Approved by Mayor	392

PERU AVENUE.

G. O. No. 64, 1902. An ordinance changing the name of Peru avenue to Davidson street.

Introduced	545
Read first time and referred	546
Read second time, ordered engrossed; read third time and passed..	632-3
Approved by Mayor	635

VARIOUS.

G. O. No. 18, 1902. An ordinance changing the names of portions of Lewis street, Malott avenue, Columbia avenue, Hill avenue, Hillside avenue, Valley avenue, Beech street, Lawrence street, Rural street, Bloyd avenue and Glenn Drive, to that of "Roosevelt avenue." Also changing the name of a portion of Nevada street to that of "Eighteenth street." Also changing the name of Parker avenue to that of "Winter avenue." Also changing the name of Holloway avenue to that of "Ingram street." And fixing the time when the same shall take effect.

Introduced	173
Read first time and referred	174
Committee report	226
Read second time, ordered engrossed; read third time and passed..	256-57
Approved by Mayor	260

VARIOUS (IN IRVINGTON).

G. O. No. 4, 1903. An ordinance changing the names of Central avenue, Irving avenue, College avenue, and Maxwell avenue to that of Audobon Road; also changing the name of Detroit street to Mozart avenue; also changing the name of Downey avenue to that of Thompson avenue; also changing the name of East street to that of Sheridan avenue; also changing the name of Parkman avenue and Warren street to Catherwood avenue; also changing the name of Orchard street, Parkman avenue and Prescott avenue to Webster avenue; also changing the name of South avenue to that of Good avenue; also changing the name of Perry avenue to Berry avenue; also changing the name of Maple avenue and Pleasant avenue to Bolton avenue; also changing the name of Green avenue to Lesley avenue; also changing the name of Pleasant street to Bancroft avenue; also changing the name of Glenn street to Hiawatha street; also changing the name of Urbana street to Beauty avenue; also changing the name of Wallace street to Lansing street; also changing the name of Wallace street to Orange street; also changing the name of Clyde street to Palmer street; also changing the name of Mankedick street to Nebraska street; also changing the name of Earl street to St. Paul street; also changing the name of English avenue to Thirty-second street; also changing the name of Grande avenue to Thirty-seventh street; also changing the name of Grand avenue to Martindale avenue; also changing the name of Middle street and Huron avenue to Lexington avenue; also changing the name of Lester street to Fletcher avenue; also changing the name of Brown street to Fletcher avenue; also changing the name of Coble street to Cable street; also changing the name of Webb street to Saulcy street; also changing the name of Highland street to Bunting street; also changing the name of Laura avenue to Iowa street; also changing the name of Miami street to Vandeman street; also changing the name of St. Elmo street to Quill street; also changing the name of Quincy street to McKinnon avenue; also changing the name of Reuben street to Maryland street; also changing the name of Thompson street to Traub avenue; also changing the name of Sharpe street and Cannon street to Trowbridge street; also changing the name of Hawkins street to Dayton street; also changing the name of Sugar street to Worcester

avenue; also changing the name of Lowell street to Wilkins street; also changing the name of Scott street to Muskingum street; also changing the name of Graham street to Langley avenue; also changing the name of Oak street to Eddison avenue; also changing the name of Dewey avenue to Kenwood avenue; also changing the name of Johnson street to Fourteenth street; also changing the name of Chester street to Dupont street; also changing the name of Spencer street to Thirty-first street; also changing the name of Groff avenue to Stout avenue; also changing the name of Stout avenue to Groff avenue; also changing the name of Huron street to Lexington avenue; also changing the name of Hendricks street to New Jersey street; also naming certain streets not heretofore given names; and fixing the time when same shall take effect.

Introduced	687
Read first time and referred.....	692
Committee report	712-14
Read second time, amended, ordered engrossed; read third time and passed	722
Approved by Mayor.....	726

RUTH STREET.

G. O. No. 73, 1902. An ordinance changing the name of Ruth street, from Vermont street to Jackson street, and from the right of way of C. C. & St. L. R. R. Co., to a point one hundred and seventy-five (175) feet south of Victoria street, in the City of Indianapolis, State of Indiana, to Holmes avenue.

Introduced	611
Read first time and referred.....	611
Read second time, ordered engrossed; read third time and passed..	633
Approved by Mayor.....	636

WALTER STREET.

G. O. No. 79, 1902. An ordinance providing for the change of the name of Walter street to Hansen avenue, and fixing a time when the same shall take effect.

Introduced	630
Read first time and referred.....	630
Motion to call from committee. Carried.....	692
Re-referred	692
Committee report	695
Read second time, ordered engrossed; read third time and passed..	707
Approved by Mayor.....	709

RHODE ISLAND STREET.

G. O. No. 19, 1903. An ordinance changing the name of Rhode Island street to Colton street.

Introduced	775
Read first time and referred.....	775
Committee report	787
Petition requesting passage of ordinance.....	778
Read second time, ordered engrossed; read third time and passed..	795
Approved by Mayor.....	797

WASHINGTON STREET.

General Ordinance No. 70, 1902. An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington street, from the west property line of Alabama street to the Union Railway Company's tracks, by resurfacing with asphalt, in accordance with Improvement Resolution No. 238,

1902, as adopted by the Board of Public Works, and fixing a time when the same shall take effect.

Introduced	581-2
Read first time and referred.....	583
Stricken from the files.....	634

VIRGINIA AVENUE.

General Ordinance No. 71, 1902. An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Virginia avenue, from the north property line of the first alley north of Stevens street to the south property line of the first alley south of Prospect street, by resurfacing the roadway with asphalt and brick gutters in accordance with Improvement Resolution No. 212, 1902, adopted by the Board of Public Works, and fixing the time when the same shall take effect.

Introduced	583
Read first time and referred.....	584
Stricken from the files.....	634

STREET RAILWAY.

G. O. No. 62, 1901. An ordinance regulating the speed and operation of electric street cars; for protection of life, limb and property.

Be it ordained by the Common Council of the City of Indianapolis, Indiana, as follows:

Introduced	19
Read first time and referred.....	19-20
Committee report—majority	125
Committee report—minority	126
Read second time, ordered engrossed; read third time and failed to pass	128

G. O. No. 64, 1901. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of November, 1901, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Introduced	20
Read first time and referred.....	28
Committee report	32
Approved by Mayor.....	57

G. O. No. 60, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon the streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Introduced	502
Read first time and referred.....	519
Read second time, ordered engrossed; read third time and passed..	525
Approved by Mayor	530

GETTING ON OR OFF WHILE IN MOTION.

G. O. No. 83, 1902. An ordinance to promote public safety by prohibiting persons from getting on or off of street cars and interurban cars in the City of Indianapolis, Indiana, while the same are in motion; providing a penalty for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Introduced	645
Read first time and referred.....	645
Committee report	657
Read second time, ordered engrossed; read third time and passed..	663-4
Approved by Mayor.....	669

G. O. No. 24, 1903. An ordinance regulating the speed of electric street cars.

Introduced	792
Read first time and referred.....	792
Taken out of hands of Committee on Public Safety and Comfort and referred to Committee on Public Health.....	851
Unable to agree upon report.....	1069
Motion to lay ordinance on table. Lost.....	1070
Read second time, ordered engrossed; read third time and failed to pass	1072

G. O. No. 40, 1903. An ordinance making it unlawful for any person, firm or corporation to run or operate an electric car in or upon the streets of the City of Indianapolis, Indiana, with a lighted arc headlight on said car, without such headlight being screened in such manner as to reduce the brilliancy of such light fifty per cent.; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Introduced	948
Read first time and referred.....	949
Committee report	969-70
Read second time, ordered engrossed; read third time and passed..	992-3
Approved by Mayor.....	1010

STOCK YARDS.

G. O. No. 12, 1902. An ordinance prohibiting the location, erection, construction or building hereafter of stock yards within the corporate limits of the City of Indianapolis, and also prohibiting the engaging in or carrying on of the general business of handling, feeding, selling or otherwise disposing of hogs, cattle, sheep, horses or other live stock of any kind whatsoever at any such stock yards; providing a penalty for the violation thereof, and for the publication of the same, and fixing a time when the same shall take effect.

Introduced	148
Read first time and referred.....	148
Committee report	260-1
Read second time.....	275
Stricken from files	275

SUN VAPOR STREET LIGHT CO.

G. O. No. 48, 1903. A general ordinance ratifying and confirming a certain contract made and entered into by the City of Indianapolis through its Board of Public Works with the Sun Vapor Street Light Company for the lighting of certain streets, alleys, and other public places with its incandescent system of gas street lighting.

Introduced	976
Read first time and referred.....	989

SWITCHES AND SIDE-TRACKS.

- G. O. No. 7, 1902. An ordinance approving a certain contract granting Burnet & Lewis the right to lay and maintain a switch or side-track across Van Buren street, in the City of Indianapolis, Indiana.

Introduced	112
Read first time and referred.....	114
Committee granted additional time for consideration.....	147
Committee report	184
Read second time, ordered engrossed; read third time and passed..	186
Approved by Mayor.....	289

- G. O. No. 8, 1902. An ordinance approving a certain contract granting Indianapolis Hoiny Mills the right to lay and maintain a switch or side-track across Madison avenue in the City of Indianapolis, Ind.

Introduced	114
Read first time and referred.....	116
Committee report	147
Committee report—majority	225
Committee report—minority	225
Read second time, ordered engrossed; read third time and passed..	257
Approved by Mayor.....	260

- G. O. No. 17, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and Thomas Rodibaugh, whereby said Thomas Rodibaugh is granted the right to construct and maintain a switch or side-track in and along Lafayette street and across Smith street.

Introduced	170
Read first time and referred.....	172
Committee report	191
Read second time, ordered engrossed; read third time and passed..	207
Approved by Mayor	219

- G. O. No. 21, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-sixth day of March, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Atlas Engine Works, granting permission, right and authority to said Atlas Engine Works, its successors and assigns, to construct, maintain and operate, in addition to and in connection with the present siding track, switches and appurtenances, of said Atlas Engine Works, further tracks in and upon certain streets and alleys of the City of Indianapolis.

Introduced	226
Read first time and referred	230
Committee report	261-2
Read second time, ordered engrossed; read third time and passed..	273
Approved by Mayor.....	280

- G. O. No. 22, 1902. An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or side-track across McGill street in the City of Indianapolis, Indiana.

Introduced	230
Read first time and referred.....	232
Committee report	262-3
Read second time, ordered engrossed; read third time and passed..	274
Approved by Mayor.....	280

- G. O. No. 23, 1902. An ordinance approving a certain contract giving the U. S. Encaustic Tile Works the right to lay and maintain a switch or side-track across Sixteenth street, in the City of Indianapolis, Indiana.

Introduced	233
Read first time and referred.....	235
Committee report	262
Read second time, ordered engrossed; read third time and passed..	274
Approved by Mayor.....	280

- G. O. No. 24, 1902. An ordinance approving a certain contract granting to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and W. J. Holliday & Company the right to lay and maintain two switches or side-tracks, the first crossing Chesapeake street and the second crossing Georgia street, in the City of Indianapolis, Indiana.

Introduced	235
Read first time and referred.....	238
Committee report	263
Read second time, ordered engrossed; read third time and passed..	274
Approved by Mayor.....	279-80

- G. O. No. 30, 1902. An ordinance approving a certain contract granting E. C. Atkins & Company the right to lay and maintain a switch or side-track across the first alley north of South street, and in and along Eddy street, in the City of Indianapolis.

Introduced	263
Read first time and referred.....	266
Committee report—majority	284
Committee report—minority	284
Read second time, ordered engrossed; read third time and failed to pass	294
Notice to reconsider vote at next regular meeting.....	294

- G. O. No. 33, 1902. An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or side-track across Fletcher avenue in the City of Indianapolis, Indiana.

Introduced	288
Read first time and referred.....	290
Committee report	309
Read second time, ordered engrossed; read third time and passed..	325-6
Approved by Mayor.....	333

- G. O. No. 38, 1902. An ordinance approving a certain contract granting the Mainland Manufacturing Company the right to lay and maintain a certain switch or side-track in the city of Indianapolis, under certain stipulated terms and agreements.

Introduced	356
Read first time and referred.....	358
Committee report	366
Read second time, ordered engrossed; read third time and passed..	390
Approved by Mayor.....	391

- G. O. No. 41, 1902. An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or side-track along Louisiana street in the City of Indianapolis, being in lieu of and to supersede an ordinance entitled "General Ordinance No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or side-track across McGill street in the City of Indianapolis," and repealing said last-named ordinance.

Introduced	380
Read first time and referred.....	383
Committee report	408
Read second time, ordered engrossed; read third time and passed..	500
Approved by Mayor.....	529-30
G. O. No. 42, 1902. An ordinance approving a certain contract granting E. C. Atkins & Company, of the City of Indianapolis, the right to construct a switch or side-track across the first alley north of South street; across South street and in and along Eddy street, in the City of Indianapolis, Indiana; and fixing a time when same shall take effect.	
Introduced	384
Read first time and referred.....	386
Committee report—majority and minority.....	408-9
Read second time, ordered engrossed; read third time and passed..	500
Approved by Mayor.....	529
G. O. No. 67, 1902. An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or side-track across the first alley east of Rural street running north from Roosevelt avenue, in the City of Indianapolis.	
Introduced	571
Read first time and referred.....	573
Committee report	579
Read second time, ordered engrossed; read third time and failed to pass for want of constitutional majority.....	593
Notice to call up ordinance at next regular meeting for consideration	594
General Ordinance No. 69, 1902. An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or side-track across Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, in the City of Indianapolis, Indiana.	
Introduced	579
Read first time and referred.....	581
Committee report	608
Read second time, ordered engrossed; read third time and passed..	613
Approved by Mayor.....	617
G. O. No. 72, 1902. An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain a switch or side-track across Warman avenue and the first alley south of the C., C. & St. L. Ry. Co.'s right of way, in the City of Indianapolis.	
Introduced	608
Read first time and referred.....	611
Committee report	621
Read second time, ordered engrossed; read third time and passed..	632
Approved by Mayor.....	635-6
G. O. No. 75, 1902. An ordinance approving a certain contract granting the Indianapolis Light and Power Company the right to lay and maintain a switch or side-track on Kentucky avenue, in the City of Indianapolis, Indiana.	
Introduced	624
Read first time and referred.....	626
Committee report	639
Read second time, ordered engrossed; read third time and passed..	647
Approved by Mayor.....	653

- G. O. No. 76, 1902. An ordinance approving a certain contract granting The National Malleable Castings Company the right to lay and maintain a switch or side-track across Michigan street in the city of Indianapolis, Indiana.

Introduced	627
Read first time and referred.....	629
Committee report	761
Read second time, ordered engrossed; read third time and passed..	763
Approved by Mayor.....	767

- G. O. No. 84, 1902. An ordinance approving a certain contract granting Mr. James Wadsworth the right to lay and maintain a switch or side-track across Minnesota street in the City of Indianapolis.

Introduced	659
Read first time and referred.....	661
Committee report	671
Read second time, ordered engrossed; read third time and passed..	681
Approved by Mayor.....	684

- G. O. No. 5, 1903. An ordinance approving a certain contract granting E. C. Atkins and Company the right to lay and maintain a switch or side-track across the first alley north of South street, and in and along Eddy street, in the City of Indianapolis, Indiana.

Introduced	696
Read first time and referred.....	699
Committee report	715
Read second time, ordered engrossed; read third time and passed..	721
Approved by Mayor.....	726

- G. O. No. 17, 1903. An ordinance approving a certain contract granting the Indianapolis Union Railway the right to lay and maintain a switch or side-track across Bethel avenue, in the City of Indianapolis, Indiana.

Introduced	772
Read first time and referred.....	774
Committee report	788
Read second time, ordered engrossed; read third time and passed..	795
Approved by Mayor.....	797

- G. O. No. 22, 1903. An ordinance approving a certain contract granting the Christian Haugh Fuel Company the right to lay and maintain a switch or side-track across the first alley south of Moore avenue, in the City of Indianapolis, Indiana.

Introduced	789
Read first time and referred.....	791
Committee report	802
Read second time, ordered engrossed; read third time and passed..	823-24
Approved by Mayor.....	830

- G. O. No. 26, 1903. An ordinance approving a certain contract granting the Pennsylvania Co. (operating the Indianapolis & Vincennes Railroad) permission to construct a side-track parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reiser street, and all intervening alleys; said side-track to extend from a junction with the present siding about twenty (20) feet east of Miller street southwestwardly about 3,530 feet to a connection with the side-track of the Indianapolis Desiccating Company at Sellers Farm, the city of Indianapolis, Indiana.

Introduced	804
Read first time and referred.....	806
Committee report	941-2
Read second time, ordered engrossed; read third time and passed..	946
Approved by Mayor	947

G. O. No. 27, 1903. An ordinance approving a certain contract granting the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. the right to construct two side-tracks parallel with and distant northwardly thirteen (13) and twenty-five and seventy-five one hundredths (25.75) feet from the main track of the said railway, extending from a point about 440 feet west of the west line of the Brookville Road, eastwardly, crossing the Brookville Road at grade and the Sherman Drive over grade to Pleasant Run, in the city of Indianapolis, Indiana.

Introduced	807
Read first time and referred.....	809
Committee report	844
Read second time, ordered engrossed; read third time and passed..	847
Approved by Mayor.....	850

G. O. No. 30, 1903. An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or side-track across the alley between Fletcher avenue and Spann avenue, in the city of Indianapolis, Indiana.

Introduced	836
Read first time and referred.....	838
Committee report	845
Read second time, ordered engrossed; read third time and passed..	848
Approved by Mayor.....	850

G. O. No. 32, 1903. An ordinance approving a certain contract granting William F. Gansberg right to lay and maintain a switch or side-track across Ringgold avenue, in the City of Indianapolis, Indiana.

Introduced	852
Read first time and referred.....	854
Committee report	917
Read second time, ordered engrossed; read third time and passed..	938
Approved by Mayor.....	965

G. O. No. 33, 1903. An ordinance approving a certain contract granting Schnull & Co. the right to lay and maintain a switch or side-track across Chesapeake street and in and along Missouri street, in the City of Indianapolis, Indiana.

Introduced	854
Read first time and referred.....	856
Committee report	918
Read second time, ordered engrossed; read third time and passed..	938
Approved by Mayor.....	965

G. O. No. 37, 1903. An ordinance approving a certain contract granting the Aldag & Coonse Co. the right to lay and maintain a switch or side-track across the first alley south of Moore avenue; also across the first alley east of LaSalle street; also across Olney street, in the City of Indianapolis, Indiana.

Introduced	934
Read first time and referred.....	937
Committee report	948
Read second time, ordered engrossed; read third time and passed..	950
Approved by Mayor	966

- G. O. No. 39, 1903. An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain certain switch or side-track across Warman avenue, the first alley north of Bertha street and the first alley west of Warman avenue, in the city of Indianapolis.

Introduced	943
Read first time and referred.....	945
Committee report	969
Read second time, ordered engrossed; read third time and passed..	992
Approved by Mayor.....	1010

- G. O. No. 46, 1903. Ratifying and confirming a certain contract made and entered into this 17th day of August, 1903, by and between the city of Indianapolis, through its Board of Public Works, and Reed & Graham, granting said Reed & Graham the right to construct and maintain a switch or side-track across the first alley east of Cornell avenue, in the city of Indianapolis, Indiana.

Introduced	971
Read first time and referred	973
Committee report	1016
Read second time, ordered engrossed; read third time and passed..	1021
Approved by Mayor	1023

- G. O. No. 47, 1903. An ordinance approving a certain contract granting the Peoria & Eastern Railway Company the right to lay and maintain certain railroad tracks in the city of Indianapolis under stipulated terms and agreements.

Introduced	973
Read first time and referred.....	976
Committee report	1037-8

- G. O. No. 56, 1903. "An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or side-track across the first alley east of Rural street running north from Roosevelt avenue in the city of Indianapolis, Indiana."

Introduced	1017
Read first time and referred	1020
Committee report	1037
Read second time, ordered engrossed; read third time and passed..	1056
Approved by Mayor.....	1067

- G. O. No. 58, 1903. An ordinance approving a certain contract granting A. Minter the right to lay and maintain a switch or side-track across Georgia and California streets in the city of Indianapolis, Indiana.

Introduced	1045
Read first time and referred	1047
Committee report	1069
Read second time, ordered engrossed; read third time and passed..	1072
Approved by Mayor Oct. 14, 1903.....	

TAX LEVY.

- G. O. No. 68, 1902. An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the City of Indianapolis, for the year 1903, and fixing the time when the same shall take effect.

Introduced	573
Read first time and referred	574
Committee report, majority	596
Committee report, minority	596-98
Read second time, amended, ordered engrossed; read third time and passed	600
Approved by Mayor	604
G. O. No. 59, 1903. An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the city of Indianapolis, for the year 1904, and fixing the time when the same shall take effect.	
Introduced	1047
Read first time and referred	1047
Committee report	1061
Read second time, motion to amend, lost, ordered engrossed; read third time and passed	1064-65
Approved by Mayor	1068

TRANSFER OF FUNDS.

G. O. No. 63, 1901. An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the city of Indianapolis, and fixing the time when the same shall take effect.	
Introduced	20
Read first time and referred	20
Committee report	60
Read second time, ordered engrossed; read third time and passed ..	68
Approved by Mayor	82
G. O. No. 68, 1901. An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis, and fixing the time when the same shall take effect.	
Introduced	63
Read first time and referred	63
Committee report	84
Read second time, ordered engrossed; read third time and passed ..	91
Approved by Mayor	95
G. O. No. 6, 1902. An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Parks of the city of Indianapolis, and fixing the time when the same shall take effect.	
Introduced	111
Read first time and referred	112
Committee report	146
Read second time, ordered engrossed; read third time and passed ..	151
Approved by Mayor	158
G. O. No. 45, 1902. An ordinance authorizing and directing the transfer of the sum of five thousand dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.	
Introduced	396
Read first time and referred	396
Committee report	533
Read second time, ordered engrossed; read third time and passed ..	547
Approved by Mayor	576

G. O. No. 48, 1902. An ordinance authorizing and directing the transfer of the sum of two thousand dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Introduced	413
Read first time and referred	413
Committee report	533
Read second time, ordered engrossed; read third time and passed..	547
Approved by Mayor.....	575

G. O. No. 66, 1902. An ordinance authorizing and directing the transfer of the sum of \$2,050.00 from a certain fund to certain funds, for the use of the Department of Public Safety, and fixing a time when the same shall take effect.

Introduced	570
Read first time and referred	570
Committee report	578
Read second time, ordered engrossed; read third time and passed..	592
Approved by Mayor	603

G. O. No. 77, 1902. An ordinance transferring the sum of two thousand dollars from certain fund to certain funds for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Introduced	629
Read first time and referred.....	629
Committee report	638
Read second time, ordered engrossed; read third time and passed..	646
Approved by Mayor	653-4

G. O. No. 78, 1902. An ordinance transferring the sum of three hundred and sixty dollars from certain funds to certain funds for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Introduced	629
Read first time and referred	630
Committee report	638
Read second time, ordered engrossed; read third time and passed..	646-7
Approved by Mayor.....	654

G. O. No. 80, 1902. An ordinance transferring the sum of three hundred (\$300) dollars from certain funds to certain funds for the Department of Law, and fixing a time when same shall take effect.

Introduced	640
Read first time and referred	640

G. O. No. 15, 1903. An ordinance fixing the compensation of the drug and prescription clerk in the City Dispensary, and transferring certain funds to certain funds heretofore appropriated.

Introduced	762
Read first time and referred.....	762

G. O. No. 36, 1903. An ordinance transferring the sum of \$1,250 from a certain fund to a certain fund in and for the Department of Public Works and fixing the time when the same shall take effect.

Introduced	934
Read first time and referred.....	934
Committee report	948
Read second time, ordered engrossed; read third time and passed..	949
Approved by Mayor	966

G. O. No. 44, 1903. An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing the time when the same shall take effect

Introduced	970
Read first time and referred	970
Committee report	996
Read second time, ordered engrossed; read third time, and failed to pass	1006-7

G. O. No. 45, 1903. An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Department of Public Works, and fixing a time when the same shall take effect.

Introduced	970
Read first time and referred	970
Committee report	997
Read second time, ordered engrossed; read third time and passed ..	1007
Approved by Mayor	1011

G. O. No. 55, 1903. "An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Fire Force of the Department of Public Safety, and fixing a time when the same shall take effect."

Introduced	1017
Read first time and referred	1017
Committee report ..	1037
Read second time, ordered engrossed; read third time and passed ..	1056-7
Approved by Mayor	1067

G. O. No. 57, 1903. An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Introduced	1044
Read first time and referred	1044
Committee report	1063-4
Read second time, ordered engrossed; read third time and passed ..	1066
Approved by Mayor	1068

VEHICLES.

G. O. No. 31, 1902. An ordinance relative to the use of vehicles in and upon the streets, alleys and driveways of the city of Indianapolis; fixing the limit of speed for the same to be ridden or driven over and across the intersection of streets; providing that the same restrictions of speed apply to the entering and leaving of alleys and driveways; designating portions of certain streets where the same shall apply; providing penalties for violations of its regulations and requirements and fixing a time when the same shall take effect.

Introduced	266
Read first time and referred	267

G. O. No. 82, 1902. An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof.

Introduced	644
Read first time and referred	644
Committee report	658
Read second time, ordered engrossed; read third time and passed ..	663
Approved by Mayor	683

- G. O. No. 85, 1902. An ordinance repealing Vehicle Ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general Vehicle Ordinance providing a license on all vehicles, approved November 27, 1893.

Introduced	661
Read first time and referred	662
Committee report	695-6
Read second time, ordered engrossed; read third time and passed..	706
Vetoed by Mayor	710

- G. O. No. 3, 1903. An ordinance prohibiting express wagons and transfer wagons from standing upon certain streets in the city of Indianapolis, Indiana, providing a penalty for the violation thereof, and fixing the time when the same shall take effect.

Introduced	686
Read first time and referred	686
Committee report	695
Read second time, ordered engrossed; read third time and passed..	707
Approved by Mayor	710

- G. O. No. 7, 1903. An ordinance repealing G. O. No. 82, 1902, entitled "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof," and fixing the time the same shall take effect.

Introduced	699
Read first time and referred	699
Committee report	712
Read second time, ordered engrossed; read third time and passed..	724
Vetoed by Mayor	726

- G. O. No. 12, 1903. An ordinance to amend Section 1 of G. O. No. 82, 1902, entitled "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the City of Indianapolis, and prescribing a penalty for the violation thereof."

Introduced	753
Read first time and referred	754
Committee report	761
Read second time, ordered engrossed; read third time and passed..	764
Approved by Mayor	767

- G. O. No. 34, 1903. An ordinance regulating the establishment, location, erection and maintenance of buildings and rooms for the storage, care, repair and hire of automobiles and other vehicles, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall take effect.

Introduced	856
Read first time and referred	857

- G. O. No. 52, 1903. An ordinance repealing vehicle ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general vehicle ordinance providing a license on all vehicles, approved November 27, 1893.

Introduced	991
Read first time and referred	992
Committee report	1069
Read second time, ordered engrossed; read third time and passed..	1073
Approved by Mayor, October 14, 1903.	

VOTING MACHINES.

G. O. No. 60, 1903. An ordinance adopting the use of voting machines and authorizing same to be used in certain precincts in the city election to be held October 13, 1903, fixing the boundaries of the precincts in which they are to be used, and fixing the time when this ordinance shall take effect.

Introduced	1048
Read first time and referred	1050
Committee report	1060-1
Read second time, ordered engrossed; read third time and passed..	1064
Approved by Mayor.....	1068

YOUTHS.

G. O. No. 69, 1901. An ordinance entitled an ordinance for restoring vagrant, truant or tramping boys to their homes, designating the officers to enforce the same, defining the penalties for its violation, providing for its publication, and fixing a time when same shall take effect.

Introduced November 18, 1901.....	63
Read first time and referred.....	64

G. O. No. 70, 1901. An ordinance entitled "An ordinance to prevent the incarceration of youths—boys and girls—in station houses, jails, work-houses, etc., with old and hardened criminals," designating the officers to enforce the same, defining the penalties for its violation, providing for its publication, and fixing a time when the same shall take effect.

Introduced	64
Read first time and referred	64

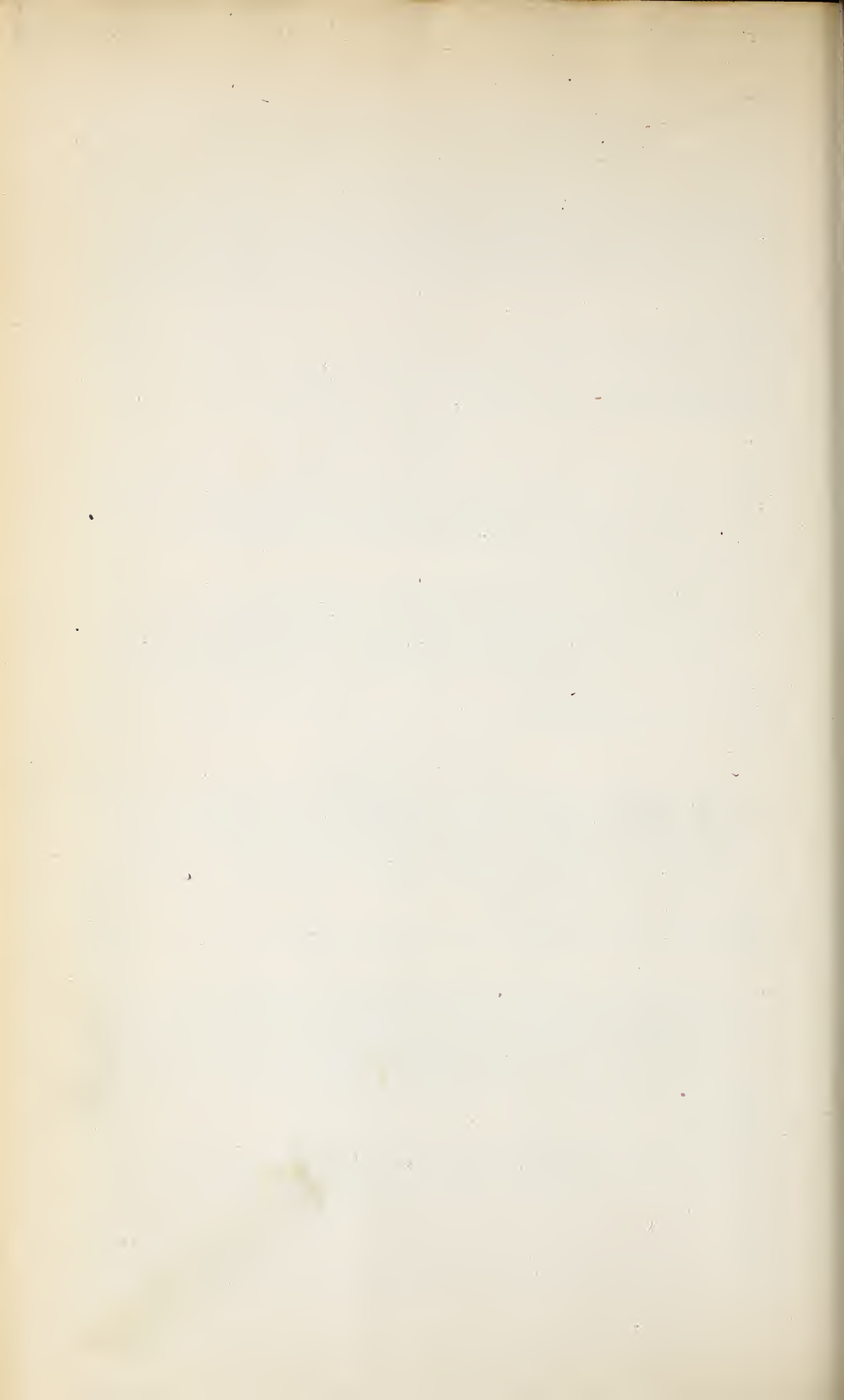
WAREHOUSES.

G. O. No. 38, 1903. An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of warehouses, store-rooms, tanks or other structures for the receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oils in quantities exceeding one hundred gallons, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall go into effect.

Introduced	937
Read first time and referred.....	937
Committee report	968-9

G. O. No. 51, 1903. An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of warehouses, store-rooms, tanks, or other structures for the receptacle, deposits or storage of petroleum, gasoline or other fuel or illuminating oils in quantities exceeding four hundred barrels, fixing a penalty for the violation thereof, providing for a publication thereof, and fixing a time when the same shall go into effect.

Introduced	991
Read first time and referred	991



JOURNAL OF PROCEEDINGS
OF THE
COMMON COUNCIL
OF THE
CITY OF INDIANAPOLIS,

In Marion County, in the State of Indiana.

FIRST REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
THURSDAY, October 10, 1901, 7:30 P. M.

The records and files in the office of the City Clerk of the City of Indianapolis, a city located in Marion County in the State of Indiana, and governed by and under an act of the General Assembly of said State entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, (see laws 57th Regular Session, Chapter 97, pages 137 to 167, and commonly called "The City Charter,") showing that at the election held on the second Tuesday in October, 1901, being the 8th day of said month, pursuant to Section 2 of said act, the following officers of said city were duly elected, all of whom have qualified in pursuance to Section 6 of said act, to wit:

CHARLES A. BOOKWALTER, Mayor.
CHARLES N. ELLIOTT, City Clerk.
GEORGE W. STUBBS, Police Judge.

COUNCILMEN-AT-LARGE.

LEW W. COOPER.
HARRY M. HALDEMAN.
JACQUELIN S. HOLLIDAY.
HAROLD C. MEGREW.
JOHN L. McFARLAND.
EDWARD G. SOURBIER.

COUNCILMEN REPRESENTING THE FIFTEEN WARDS.

HARRY E. NEGLEY, First Ward.
JAMES H. BILLINGSLEY, Second Ward.
JOHN H. CRALL, Third Ward.
FREDERICK W. EPPERT, Fourth Ward.
ANDREW H. WAHL, Fifth Ward.
WILLIAM A. RHODES, Sixth Ward.
THOMAS A. WYNNE, Seventh Ward.
CHRISTIAN H. WARWEG, Eighth Ward.
MICHAEL J. SHEA, Ninth Ward.
JAMES D. MORIARTY, Tenth Ward.
MICHAEL C. KELLY, Eleventh Ward.
BENJAMIN F. WYSONG, Twelfth Ward.
JAMES E. BERRY, Thirteenth Ward.
GUSTAV J. T. MEYER, Fourteenth Ward.
JOHN WOLSIFFER, Fifteenth Ward.

The Common Council held its first meeting on the second Thursday in October, 1901, at 7:30 o'clock P. M., in the Council Chamber, located in the Police Station, and was called to order by Charles N. Elliott, City Clerk, who called the roll of the six Councilmen-at-Large and the fifteen Ward Councilmen, all of whom answered to their respective names except Councilman Michael J. Shea.

The City Clerk announced twenty members present, and stated the first business in order to be the election of a presiding officer.

Whereupon Councilman Megrew placed in nomination Councilman Harry M. Haldeman, which nomination was seconded by Councilman Wynne.

Councilman Kelly placed in nomination Councilman James D. Moriarty, which nomination was seconded by Councilman Berry.

Mr. Negley moved that the election be made by ballot, which motion prevailed.

The City Clerk appointed Councilman Cooper and Councilman Berry as Tellers.

A ballot was then had, which resulted as follows:

Councilman Haldeman received	13 votes.
Councilman Moriarty received	7 votes.

City Clerk Elliott announced the result of the ballot, and Councilman Moriarty moved that the election of Councilman Haldeman be made unanimous.

Which motion prevailed, and City Clerk Elliott declared Councilman Haldeman duly elected President of the Common Council, and appointed Councilman Crall and Councilman Moriarty to escort the President to the Chair.

Whereupon the President took the chair, and, after briefly addressing the Council, announced as the next order of business the election of a presiding officer *pro tem*.

Councilman Megrew placed in nomination Councilman W. A. Rhodes, which nomination was seconded by Councilman Crall.

There being no further nominations, Mr. Moriarty moved that the election be made by acclamation.

Which motion prevailed, and President Haldeman declared Councilman Rhodes duly elected President *pro tem*. of the Common Council.

COMMUNICATIONS, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, IND., October 10, 1901.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—I herewith return to you Resolution No. 8; Resolution No. 10; also General Ordinances Nos. 54 and 56, each bearing my signature and approval.

Yours very truly,

T. TAGGART,

Mayor.

Which was read and ordered spread on the minutes.

MISCELLANEOUS BUSINESS.

Mr. Megrew moved that a Special Committee on Rules, consisting of five members (including the President), be appointed.

Which motion prevailed, and President Haldeman appointed the following committee: Messrs. Negley, Haldeman, Rhodes, Moriarty.

Councilman Michael J. Shea, absent at roll call, arrived and took his seat.

Mr. Negley moved that the rules of the preceding Council be adopted as the rules of this Council until further consideration can be given the matter.

Which motion carried.

On motion of Mr. Megrew, the Common Council, at 8:00 o'clock P. M., adjourned.


President.

ATTEST:


City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

October 18, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Friday evening, October 18, 1901, at 8 o'clock, in special session, pursuant to the following call :

INDIANAPOLIS, IND., October 13, 1901.

Charles N. Elliott, Esq., City Clerk:

Sir—You are hereby notified that there is hereby called a special meeting of the Common Council of the City of Indianapolis, to be held in the Council Chamber in said city on Friday evening, the 18th day of October, 1901, at 8 o'clock, for the purpose of announcing standing committees.

HARRY M. HALDEMAN,

President of the Common Council of the City of Indianapolis, Ind.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Hon. Harry M. Haldemen, President of the Common Council, in the chair, and 19 members, viz.: Messrs. Berry, Billingsly, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne, Wysong.

Absent, 1, viz.: Mr. Megrew.

MISCELLANEOUS BUSINESS.

President Haldeman announced the appointment of the following Standing Committees:

ACCOUNTS AND CLAIMS.

J. H. Crall, H. C. Megrew, M. C. Kelly.

CONTRACTS AND FRANCHISES.

H. E. Negley, L. W. Cooper, J. S. Holliday,
J. L. McFarland, E. G. Sourbier, A. H. Wahl,
G. T. J. Meyer.

PUBLIC MORALS.

H. C. Megrew, J. H. Billingsley, G. T. J. Meyer.

PUBLIC PROPERTY AND IMPROVEMENT.

J. H. Crall, L. W. Cooper, John Wolsiffer.

PUBLIC SAFETY AND COMFORT.

E. G. Sourbier, J. L. McFarland, H. E. Negley,
B. F. Wysong, A. H. Wahl.

RAILROADS.

L. W. Cooper, J. H. Billingsley, J. H. Holliday,
T. A. Wynne, John Wolsiffer.

ELECTIONS.

L. W. Cooper, J. L. McFarland, J. E. Berry.

FEES AND SALARIES.

J. H. Billingsley, W. A. Rhodes, C. H. Warweg.

FINANCE.

T. A. Wynne, J. H. Crall, B. F. Wysong,
W. A. Rhodes, J. E. Berry, J. D. Moriarity.

RULES.

B. F. Wysong, H. E. Negley, J. D. Moriarity.

SEWERS, STREETS AND ALLEYS.

J. H. Holliday, F. W. Eppert, W. A. Rhodes,
T. A. Wynne, A. H. Wahl.

INVESTIGATION AND IMPEACHMENT.

J. H. Billingsley, E. G. Sourbier, M. J. Shea.

JUDICIARY.

H. E. Negley, F. W. Eppert, M. C. Kelly.

Oct. 18, 1901.]

CITY OF INDIANAPOLIS, IND.

7

ORDINANCES.

F. W. Eppert,

H. C. Megrew,

G. T. J. Meyer.

PRINTING.

W. A. Rhodes,

J. H. Billingsley,

M. J. Shea.

PUBLIC HEALTH.

J. L. McFarland,

J. H. Crall,

C. H. Warweg.

On motion of Mr. Cooper, the Common Council, at 8:15 o'clock, adjourned.

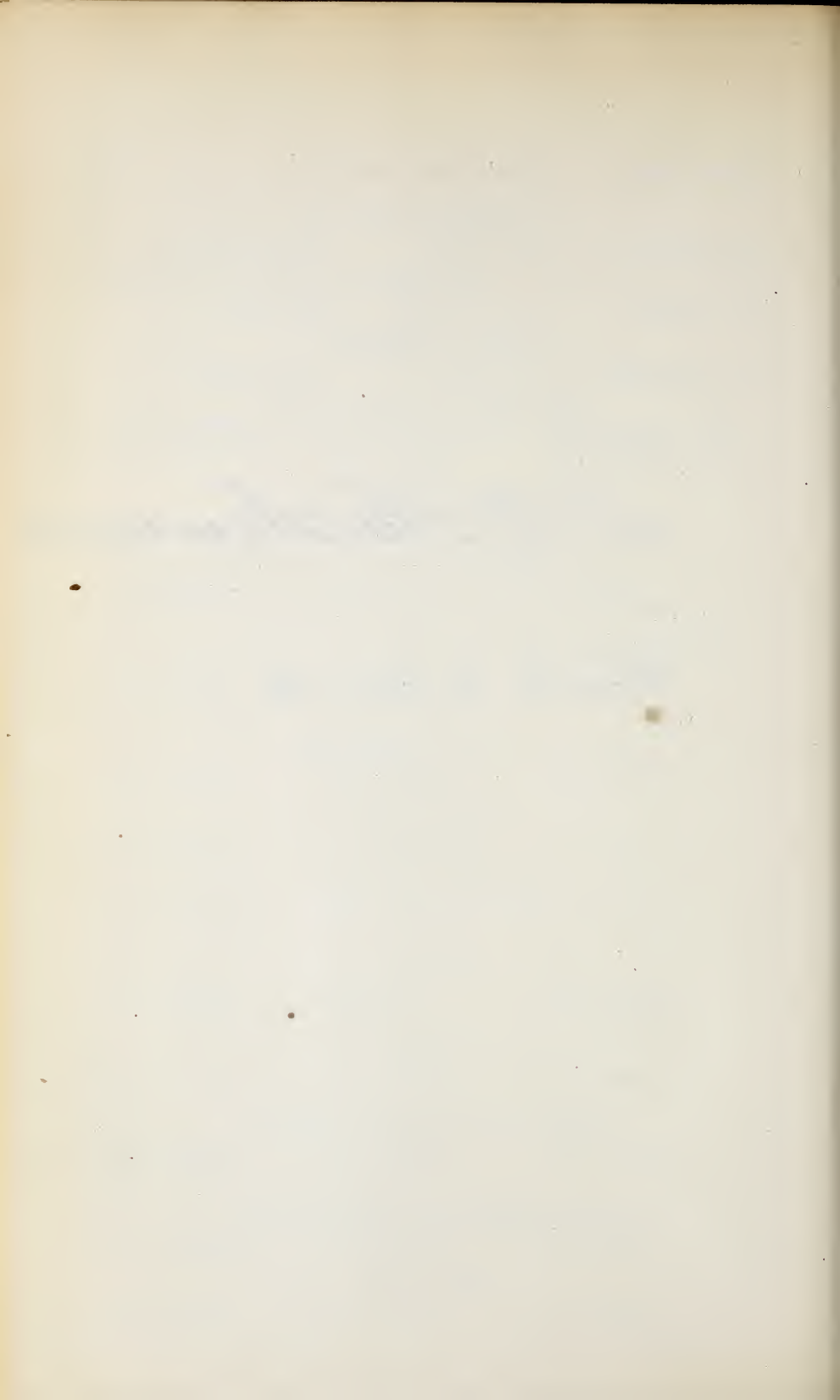
H. M. Alderman

President.

ATTEST:

Charles N. Elliott

City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, October 21, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 21, 1901, at 8:00 o'clock, in regular meeting.

Present, Honorable Wm. A. Rhodes, Vice-President of the Common Council, and 17 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. Holliday, Megrew and President Haldeman.

Communication from Mayor:

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, IND., October 14, 1901.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—I herewith transmit to you, for your consideration, the resignation of Harold C. Megrew, as Councilman-at-Large for the city of Indianapolis, Indiana. Said resignation was accepted by me on the 11th inst.

Very truly yours,

C. A. BOOKWALTER,

Mayor.

INDIANAPOLIS, IND., October 11, 1901.

To the Honorable Mayor of Indianapolis:

Sir—I respectfully tender my resignation as Councilman-at-Large for the city of Indianapolis, to take immediate effect.

Respectfully,

HAROLD C. MEGREW.

INDIANAPOLIS, IND., October, 11, 1901.

Accepted.

CHARLES A. BOOKWALTER,

Mayor.

Mr. Negley moved that the communication be spread on the minutes, and that Mr. Megrew's resignation be accepted.

Which motion carried.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

INDIANAPOLIS, IND., October 21, 1901.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—I herewith submit an ordinance appropriating the sum of five hundred dollars (\$500.00), as an additional appropriation for "Miscellaneous Expense of the City Officers," Department of Finance.

The appropriation for the year 1901 has a balance of \$31.75, which sum is insufficient to pay necessary expenses chargeable to such appropriation during the remainder of the year 1901.

I recommend the passage of said ordinance.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM SELECT COMMITTEES.

Mr. Negley, on behalf of the Special Committee on Rules, appointed to recommend Rules by which the Common Council should be governed, made the following report:

INDIANAPOLIS, IND., October 21, 1901.

To the President and Members of the Common Council:

Mr. President—We, your Special Committee on Rules, beg leave, after proper examination of the subject, to recommend that the Rules of the last preceding Common Council, as printed in the Journal, be adopted as the rules of this Common Council. And we further recommend that said Rules be printed and bound in due form for distribution among the members, and one copy for each of the daily newspapers. And we ask that this committee be now discharged.

(Signed)

H. E. NEGLEY,
W. A. RHODES,
JAMES D. MORIARTY.

Which report was read and adopted.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

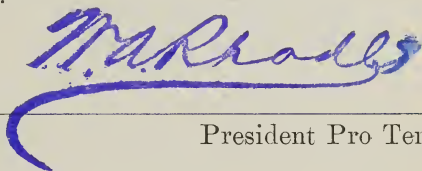
App. O. No. 16, 1901. An ordinance appropriating the sum of five hundred dollars (\$500.00), and fixing a time for taking effect of same.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and hereby is appropriated for the use of the Department of Finance, to be credited to the appropriation "Miscellaneous Expense of the City Officers," the sum of five hundred dollars (\$500.00), for the payment of expenses for the current year.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

On motion of Mr. Billingsley, the Common Council, at 8:20 o'clock p. m., adjourned.



President Pro Tem.

Attest:



City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
November 4, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 4, 1901, at 7:30 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, IND., October 22, 1901.

To the President and Members of the Common Council of the City of Indianapolis, Indiana; To Charles N. Elliott, City Clerk of the City of Indianapolis, Indiana, and to all whom it may concern:

I, Charles A. Bookwalter, Mayor of the City of Indianapolis, Ind., by virtue of the authority vested in me, as such Mayor, hereby call the members of the Common Council together, to meet in special session, on the 4th day of November, 1901, for the purpose of electing a Councilman-at-Large for said city, to fill the vacancy caused by the resignation of Harold C. Megrew.

Respectfully,

CHARLES A. BOOKWALTER,
Mayor.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 17 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wynne and Wysong.

Absent, 2, viz.: Messrs. Holliday and Wolsiffer.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Clerk:

OFFICE OF CITY CLERK,
INDIANAPOLIS, IND., November 4, 1901.

To the President and Members of the Common Council:

Gentlemen—As required by law, I notified the members of the Common Council, October 23, 1901, that there would be a special meeting of the Common Council on the 4th day of November, 1901, at 7:30 o'clock p. m., for the purpose of electing a Councilman-at-Large to fill the vacancy occasioned by the resignation of Harold C. Megrew. The

law requires that the City Clerk notify the members of said Council of such meeting ten days before an election for a Councilman-at-Large to fill a vacancy in the Common Council.

CHARLES N. ELLIOTT,
City Clerk.

Which was read and ordered spread on the minutes.

Mr. Billingsley moved that the Common Council proceed with the election of a Councilman-at-Large to succeed Mr. Megrew.

Which motion carried.

Mr. Billingsley placed in nomination Mr. William H. Wheeler, and Mr. Kelly placed in nomination Mr. Madden.

The President ordered that the roll be called.

Whereupon City Clerk Elliott called the roll, with the following result:

Mr. Wheeler received 11 votes, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wynne, Wysong and President Haldeman.

Mr. Madden received 7 votes, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl and Warweg.

City Clerk Elliott announced the vote, and President Haldeman declared Mr. Wheeler duly elected Councilman-at-Large, to serve until the first Thursday after the second Tuesday in October, 1903, or until his successor is elected and qualified.

On motion of Mr. Moriarity the election of Mr. Wheeler was made unanimous.

On motion of Mr. Crall, the Common Council at 7:40 o'clock p. m. adjourned.

P. H. Haldeman

President.

ATTEST:

Charles N. Elliott

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, November 4, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 4, 1901, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 19 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolf-siffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Moriarity moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, IND., November 4, 1901.

To the President and Members of the Common Council:

Gentlemen—I beg to recommend the passage of an ordinance appropriating the sum of one thousand eight hundred and seventy-five dollars (\$1,875.00) for use of the Department of Finance for payment of election expenses.

The appropriation for election expenses is ten thousand dollars (\$10,000.00). The total amount of claims filed to this date, and approved by the Board of Election Commissioners amounts to eleven thousand eight hundred and forty-three dollars and eight cents (\$11,843.08).

Respectfully submitted,

GEO. T. BRUENIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, IND., November 4, 1901.

To the President and Members of the Common Council:

Gentlemen—I respectfully recommend the passage of an ordinance appropriating the sum of one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents (\$196,455.38), with which to pay temporary loans and interest thereon, due December 2, 1901, as follows, to wit:

AMOUNT	DATE ISSUED	RATE PER ANNUM	INTEREST DUE
\$ 50,000.00	Aug. 1, 1901	3½ %	\$526.54
40,000.00	Sept. 3, 1901	3 %	295.89
55,000.00	Sept. 7, 1901	3 %	388.77
<u>50,000.00</u>	Oct. 1, 1901	2½ %	<u>244.18</u>

\$195,000.00

Total Interest, \$ 1,455.38

Total Temporary Loans, 195,000.00

TOTAL, \$196,455.38

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, IND., November 4, 1901.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Board of Public Works asking that the sum of eight hundred dollars (\$800), heretofore appropriated for the use of said department for sprinkling unimproved streets be transferred to the Vapor Light Fund.

I beg to recommend that the request of said Board of Public Works be granted, and that an ordinance be passed making the transfer as asked for.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, IND., November 2, 1901.

Mr. George T. Breunig, City Comptroller:

Dear Sir—This department will require an additional \$800 to pay for vapor lights during November and December, 1901. There is now \$473.60 in the Vapor Light Fund, and outstanding claims against this fund of \$390.75.

We therefore ask that you recommend that the Council transfer \$800 from the Sprinkling Unimproved Streets Fund to the Vapor Light Fund. There is now in the Sprinkling Unimproved Streets Fund \$3,822.77, with less than \$300 in claims against it, the sprinkling season having closed.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHARLES MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Finance.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, IND., November 4, 1901.

To the President and Members of the Common Council:

Gentlemen—We refer to you herewith for your consideration and action thereon, an ordinance ratifying, confirming and approving a certain contract this day made with the Union Traction Company of Indiana, granting to the said company the right, privilege and authority to run and operate its interurban cars on and over certain streets of the City of Indianapolis, under certain terms and conditions named, and fixing the time when the same shall take effect.

Respectfully submitted,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHARLES MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 16, 1901. An ordinance appropriating

the sum of five hundred dollars (\$500.00), and fixing a time for taking effect of same.

INDIANAPOLIS, IND., November 1, 1901.

Mr. President—Your Committee on Finance have had Appropriation Ordinance No. 16 under consideration, and recommend that same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES,
B. F. WYSONG,
FRED W. EPPERT,
JOHN H. CRALL,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which report was read and concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced.

By City Comptroller (through Mr. Wynne):

App. O. No. 17, 1901. An ordinance appropriating the sum of \$1,875.00 to and for the use of the Department of Finance for election expenses, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of one thousand eight hundred and seventy-five dollars (\$1,875.00) be and the same is hereby appropriated to and for the use of the Department of Finance for election expenses.

Sec. 2. This ordinance shall be in force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 18, 1901. An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated to and for the Department of Finance the sum of one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents, for

the purpose of paying temporary loans and interest thereon, due December 2, 1901, viz:

Temporary Loans issued August 1, 1901.....	\$50,000.00
Interest thereon at 3½ per cent. per annum.....	526.54
Temporary Loans issued September 3, 1901.....	40,000.00
Interest thereon at 3 per cent. per annum.....	295.89
Temporary Loans issued September 7, 1901.....	55,000.00
Interest thereon at 3 per cent. per annum.....	388.77
Temporary Loans issued October 1, 1901.....	50,000.00
Interest thereon at 2½ per cent. per annum.....	244.18

Total temporary loans and interest.....\$196,455.38

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Shea:

G. O. No. 62, 1901. An ordinance regulating the speed and operation of electric street cars; for protection of life, limb and property.

Be it ordained by the Common Council of the City of Indianapolis, Indiana, as follows:

Section 1. It shall be unlawful for any person, firm, or corporation, to propel, operate or drive, or cause, suffer, allow or permit to be propelled, or operated, an electric street car, or cars, over and upon surface track, or tracks, laid, constructed or placed, in or upon any public street, alley, park, or other public place, in the City of Indianapolis, Indiana, at a rate of speed in excess of twelve miles per hour.

Sec. 2. Be it further Ordained, That it shall be unlawful for any person, firm or corporation, to propel, operate or drive, or cause, suffer, allow or permit, to be propelled or operated, an electric street car or cars, over and upon surface tracks, laid, placed or constructed, in or upon any public street, alley, park or other public place in the City of Indianapolis, Indiana, at a rate of speed in excess of four miles per hour, when said cars are on the same track, bound, propelled or driven in the same direction thereon, within a distance of four hundred feet apart.

Sec. 3. Be it further Ordained, That it shall be unlawful, for any person, firm or corporation, to propel, operate or drive, or cause, suffer, allow or permit, to be propelled, or operated over or across any street, alley or other public crossing, any electric street car or cars, on any surface street tracks, laid or constructed in or upon any public street, alley or other public place in said city, at a rate of speed in excess of five miles per hour, when there shall be on the adjacent tracks, at said street, alley, or other public crossing, a car or cars, taking on or discharging passengers therefrom; and as any such car or cars so approaches said crossing, sufficient warning shall be given of the approach

of said car, and those in charge thereof shall have said car or cars under full control, so that same may be stopped immediately on presentment of danger to life, limb or property.

Sec. 4. The provisions of this ordinance shall apply and operate alike to regulate all street cars using the streets and public places of said city, whether the owners of any such car or cars be the owner or lessee of the tracks over which same are operated or propelled.

Sec. 5. Any person, firm, or corporation, violating any of the provisions of sections one, two or three of this ordinance, or the provisions of either of said sections, shall be deemed guilty of an offense, and shall pay on conviction, a fine not less than \$25.00 nor more than \$100.00, to which may be added imprisonment for thirty days, in the discretion of the Court having jurisdiction.

Which was read a first time and referred to Committee on Railroads.

By City Comptroller (through Mr. Wynne):

G. O. No. 63, 1901. An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of eight hundred (\$800.00) dollars be and the same is hereby transferred from the appropriation heretofore made for the use of the Department of Public Works for sprinkling unimproved streets during the year 1901, to the Vapor Light Fund, and said Department of Public Works is hereby authorized to expend the sum so transferred for the purpose named.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 64, 1901. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of November, 1901, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said Company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of November, 1901, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Union Traction Company of Indiana, namely:

This agreement, made and entered into this, the 4th day of November, 1901, by and between the City of Indianapolis, Marion County, Indiana

(hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Union Traction Company of Indiana (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part,

Witnesseth: That, Whereas, The said Union Traction Company of Indiana, has presented its written petition to the Board of Public Works of said City of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, empower and permit the said Union Traction Company of Indiana, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company, now laid and in use upon the following streets and avenues of said city, to wit:

Entering upon the College avenue line of tracks of the Indianapolis Street Railway Company at Thirtieth street; thence extending to and upon Sutherland and College avenues, and on College avenue to Massachusetts avenue; thence on Massachusetts avenue to Pennsylvania street; thence on Pennsylvania street to Washington street; thence on Washington street to Meridian street; thence south on Meridian street to Maryland street, as its central point and terminal; thence to return from said central point and terminal at said intersection of Meridian street and Maryland street, south on Meridian street to Georgia street; thence west on Georgia street to Illinois street; north on Illinois street to Washington street; east on Washington street to Pennsylvania street; thence on Pennsylvania street, Massachusetts avenue, College avenue and Sutherland avenue to the point of entrance as aforesaid.

Provided, However, That at any time prior to the first day of May, 1903, the said Company, party of the second part, and the Indianapolis Street Railway Company may, with the consent and approval of the Board of Public Works, designate and determine upon a different route than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company, which are now situated, or hereafter may be constructed, in the streets between New York street, on the North; Georgia street, on the South; Delaware street, on the East, and Capitol avenue, on the West, which route is to remain unchanged for five years. But in the event said Company, party of the second part, and the said Indianapolis Street Railway Company cannot agree on a route over the said line and tracks in and between said streets, or on the parts of said New York, Georgia and Delaware streets and Capitol avenue, forming boundaries as above described, or in event they fail, neglect or refuse to designate said route before said first day of May, 1903, to the satisfaction and approval of the Board

of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundaries, but in such a way that said route will connect with the other part of the line over which said Company, party of the second part, enters the city, and at the same time connect with the terminal point established as herein described, or some other terminal point within the district so bounded, which shall have been fixed as above provided.

Provided, Further, However, That after said route is determined and established by either party, in accordance herewith, it shall so remain for a period of not less than five years, but at any time after five years, the said Board of Public Works, or the said Indianapolis Street Railway Company, with the consent and approval of the said Board of Public Works, may change said route in said streets, and at any and every interval of five years thereafter.

And that for the purpose of storing, cleaning and repairing its cars, when necessary, the said company may also run the same over the tracks of said Indianapolis Company, subject to the conditions herein-after set forth, as follows:

From College avenue into and returning from the College avenue barns at the south end thereof; from College avenue west on Twentieth street to and into and returning from the College avenue barn at the north end thereof; from Delaware street west on Washington street to, into and returning from the barns and shops on West Washington street; from the intersection of Georgia and Illinois streets south on Illinois street to the Union Station; thence west on Louisiana street to and around the loop at the intersection of Capitol avenue and Louisiana street, to, into and returning from the Louisiana car house and shops.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such interurban company, within such city: Provided, however, that said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic, to or from the city of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said line by the Indianapolis Street Railway Company, which cars shall have the right of way, and so as not to delay or interfere in anywise with the running and operation of the cars of the said Indianapolis Street Railway Company, or to interfere with any schedule for the running of the said cars of said Indianapolis Company which may hereafter be fixed by the Board of Public Works,

and the said cars of the said Union Traction Company of Indiana shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of said Railway Company under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said company and said City dated April 7, 1899, or any other existing grant or contract whether made to or with said company or some other person or corporation to the rights and obligations of which said company has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said Union Traction Company of Indiana passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, that said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said Union Traction Company of Indiana, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collision or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its depot or station which may hereafter be established at such point as the Board of Public Works may approve. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry on its passenger cars, or in suitable compartments thereof, provided for such purpose, or in express cars of a style and pattern to be approved by the Board of Public Works such baggage belonging to its passengers being transported in such passenger cars, as is usually allowed to be carried by passengers on steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, that no live animals (except hunting dogs), shall be carried on any such cars or in any such compartment at any time: and, provided, further, that all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid, shall be delivered at the depot or station of said company hereinafter referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at lay-over point: Provided, also, that fowls, properly secured in boxes or coops, may be carried in such cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport on its cars through or over the streets, alleys or avenues of such city live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in sections 5 and 7 as hereinafter provided, when it shall have provided and established a freight depot in said city at some point which shall be approved by the Board of Public Works. After having provided and established such depot, the said company may deliver freight, other than live animals, not of a character offensive to

sight or smell, into the said depot, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies, which may be able to transport the same under any ordinance regulating such transportation.

7. The said company, party of the second part, within 180 days from the date of this contract, shall provide in the central part of said city, at some point to be approved by the Board of Public Works, a depot or station in which baggage, express matter, merchandise in boxes, crates or parcels, garden marketing, dairy products, properly enclosed and secured, hauled or to be hauled in the cars of said company through said city, shall be loaded and unloaded, and for the purpose of reaching its said depot, the right is hereby granted said company to lay its tracks across such streets, alleys or sidewalks, under the direction of the Board of Public Works, as may be necessary to run from its main line to said depot. Any such depot shall be kept clean and free from all noxious odors, and shall at all times be under the supervision of the Board of Health of said city, for the purpose of making and enforcing all necessary regulations to insure the cleanliness of the same: Provided, however, that until the expiration of said 180 days from the date of this contract said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company: Provided, that the selection of such "dead track" shall be first approved by the said Board of Public Works; and, provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of freight, designated in sections 5, 6 and 7 of this contract, baggage or merchandise, or property of any kind through the streets, alleys and avenues of said city, and if by them deemed necessary to the public health or comfort, or the convenience of public travel in said city, to prohibit the carrying of freight of any or all kinds through any of such streets, alleys and avenues.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, that if the Board of Public Works and Common Council of said city, under the power reserved to them under the contract heretofore entered into between said city and the Indianapolis Street Railway Company, shall by order or ordinance require said Indianapolis Company to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within such city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person and property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or side-tracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space under specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall, during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or, subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the insurance of the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage on such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in anywise insufficient, and the right is reserved to the Board of Public Works of such city to order any needed repairs to said tracks or road-bed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by

said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said company, provided such payment shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of said company.

In case the said company, party of the second part, should fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning alarm bells, life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, that nothing herein contained shall be construed as an attempt to abridge or in anywise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, the said company, party of the second part, agrees and binds itself to pay to the said city on the 1st day of January, 1902, and annually thereafter during the first seven years of this franchise, the sum of five cents per round trip for each and every round trip made by any car of said company over the streets of said city, during the year preceding said date; and thereafter annually during the next ten years the sum of fifteen cents per round trip for each and every round trip made by any car of said company over the streets of said city during the preceding year; and for the balance of said period for which said franchise is granted, said party of the second part agrees and binds itself to pay as aforesaid the sum of twenty-five cents per round trip for each and every car as above described.

The president of said company, or other executive officer thereof, shall at the time of such payment, file with the City Comptroller a sworn statement as to the total number of round trips made by each car aforesaid within such city during the year or period preceding.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within

such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it should undertake to so run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it should thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line, within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered on the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company hereby granted, is subject to the payment by said company, party of the second part, to said Railway Company, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said Railway Company shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city, and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In witness whereof, said parties have hereunto set their hands and seals, this 4th day of November, 1901.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHARLES MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

UNION TRACTION COMPANY OF INDIANA,

By GEO. F. McCULLOCH,

President.

JAMES A. VAN OSDOL,

Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of November, by the City of Indianapolis, by and through its Board of Public Works, and the Union Traction Company of Indiana, be and the same is hereby in all things ratified, confirmed and approved, and said Union Traction Company of Indiana is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Mr. Negley:

G. O. No. 65, 1901. An ordinance changing the name of that portion of Greenbriar Lane extending from an extension of the north property line of Bloyd avenue to Hillside avenue, and including that portion of such extension which is sometimes known as Fernway avenue, to "Bloyd avenue;" and fixing a time when the same shall take effect.

Whereas, A confusion and uncertainty now exists as to the name of that portion of Greenbriar Lane and its extension to Hillside avenue, which extends from an extension of the north property line of Bloyd avenue to Hillside avenue; the southern end of such extension being sometimes known as Fernway Avenue; therefore,

Section 1. Be it ordained, by the Common Council of the City of Indianapolis, Indiana, that the name of that portion of Greenbriar Lane extending from an extension of the north property line of Bloyd

avenue, and the extension of said Greenbriar Lane to the east property line of Hillside avenue (which extension is sometimes known as Fernway avenue), be, and the same is hereby changed to "Bloyd avenue."

Sec. 2. That the plat of said avenue described in Section 1 hereof, which is hereto attached, and marked "Exhibit A," shall be placed on file in the office of the Clerk of said City of Indianapolis, and become a part of the archives of said city for future reference.

Sec. 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Negley:

G. O. No. 66, 1901. An ordinance to provide a name for the first alley west of California street, and running south from St. Clair street to Indiana avenue, and providing that the same shall henceforth be known as "Utica street;" and fixing a time when said ordinance shall take effect.

Section 1. Be it ordained, by the Common Council of the City of Indianapolis, Indiana, That the first alley west of California street and running south from St. Clair street to Indiana avenue, in said city, shall be named "Utica street." and shall henceforth be known and designated as Utica street.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne the following entitled ordinance was taken up and read a second time:

App. O. No. 16, 1901. An Ordinance appropriating the sum of five hundred dollars (\$500.00), and fixing a time for taking effect of same.

On motion of Mr. Crall, App. O. No. 16, 1901, was then ordered engrossed, read a third time and passed by the following vote:

Ayes 20—viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes—None.

On motion of Mr. Billingsley the Common Council at 8:20 o'clock, p. m., adjourned.

J. H. Haldeman

President.

Attest: *Charles H. Elliott*

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

TUESDAY, November 5, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Tuesday evening, November 5, 1901, at 7:30 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, IND., November 4, 1901.

Charles N. Elliott, Esq., City Clerk:

Sir—You are hereby notified that there is hereby called a special meeting of the Common Council of the City of Indianapolis, to be held in the Council Chamber in said city, on Tuesday evening, the 5th day of November, 1901, at 7:30 o'clock, for the purpose of considering and taking action upon the ordinance introduced in the Common Council, November 4, 1901, ratifying, confirming and approving a certain contract and agreement between the City of Indianapolis and the Union Traction Company of Indiana authorizing said company to operate its interurban cars in said city; said contract dates November 4, 1901.

HARRY M. HALDEMAN,

President of the Common Council of the City of Indianapolis, Ind.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 20 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, none.

Mr. Crall moved that a recess of ten minutes be taken by the Council.

Which motion carried.

Council reconvened at 8:30 o'clock.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Negley, on behalf of a majority of the Committee on Contracts and Franchises, to which was referred:

G. O. No. 64, 1901. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the fourth day of November, 1901, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 5, 1901.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Contracts and Franchises, which has had G. O. No. 64, 1901, under consideration, beg leave to report that, after consideration of the questions there involved, we are of the opinion that the contract mentioned in said ordinance is satisfactory; and we therefore recommend that ordinance do pass.

H. E. NEGLEY,
LEW W. COOPER,
J. L. MCFARLAND,
ED. G. SOURBIER.

Which was read.

Mr. Meyer, on behalf of a minority of the Committee on Contracts and Franchises, to which was referred G. O. No. 64, 1901, made the following report:

INDIANAPOLIS, IND., November 5, 1901.

To the President and Members of the Common Council:

Gentlemen—The undersigned, a minority of your Committee on Contracts and Franchises, are unable to concur in the report of the majority concerning the adoption of Ordinance No. 64, which ratifies the contract entered into between the Board of Public Works and the Union Traction Company, and beg leave to submit the following minority report:

Our objections to the franchise proposed to be granted are:

First. The period for which said franchise is to be granted is too long. The interurban railway business is in its infancy. No man can foresee or foretell the volume of business which may be necessarily done by these companies over the streets of this city, within ten years from this time; nor can we without experience or knowledge provide intelligently in a franchise now granted, for or against all the emergencies and complications which may grow out of this interurban traffic ten

years hence, when, perhaps, there may be twenty of these companies running their passenger, express and baggage cars over our thoroughfares.

It, therefore, seems to us to be the part of wisdom, to limit the period of the franchise to ten years, renewable at the expiration of that term, on terms to be then settled, either by agreement of the parties, or by arbitration. By that time enough will be known of the extent and volume of the interurban business that intelligent action may be taken.

Second. The franchise granted is a most valuable one. We are giving to these companies the privilege of using the streets of the city which were originally intended for the use of our citizens. These companies are organized to make money, and they are making money. They should be willing to pay to the city for this valuable grant a reasonable compensation. That five cents per round trip is virtually no compensation at all, at this time, must be conceded. What compensation will be reasonable in the next generation can not now be estimated.

We therefore favor an amendment to the contract and ordinance providing for the payment of not less than ten cents per round trip for each car for a period of ten years—the period to which we propose to limit the franchise.

Third. We are opposed to a straight five-cent fare for passengers. We have heard no good reason advanced, why the people of Indianapolis should be compelled to pay five cents each for the privilege of riding in one car running over the streets, while at the same time they are allowed to ride in other cars running over the same streets for a four-cent fare. We believe that the days of five-cent fare for city travel is past. The tendency everywhere is for cheaper and not greater fares, and we regard the proposition to fasten five-cent fares upon our people for thirty years, as a movement in the wrong direction.

We therefore favor an amendment providing for the same rate of fare charged by the Indianapolis Company, for a period of ten years. By that time, we believe, the companies themselves will be willing to agree to a still lower rate, for the reason that the present rate will then be regarded as unreasonably high. We further recommend that this contract be deferred until such time as the two other companies now running in our city can make satisfactory terms with Citizens Company in regard to their share of the fares.

Respectfully submitted,

GUSTAV. G. T. MEYER,

ANDREW H. WAHL,

Minority Committee on Contracts and Franchises.

Which was read.

Mr. Wahl moved that minority report be substituted for the majority report.

Mr. Negley moved to lay Mr. Wahl's motion on the table.

Which motion carried by the following vote:

Ayes—Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Halde-
man.

Noes—Berry, Kelly, Meyer, Moriarity, Shea, Whal, Warweg and
Wolsiffer.

Mr. Moriarity moved that the Council do now adjourn.

Which was lost by the following vote:

Ayes—Berry, Eppert, Holliday, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Noes—Billingsley, Cooper, Crall, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Whereupon the majority report, on motion of Mr. Negley, was concurred in by the following vote:

Ayes—Billingsley, Cooper, Crall, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Noes—Berry, Eppert, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

ORDINANCES ON SECOND READING.

Mr. Negley moved that the following entitled ordinance be taken up and read a second time:

G. O. No. 64, 1901. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of November, 1901, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said Company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On demand for ayes and noes, the motion carried by the following vote:

Ayes—Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Noes—Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

G. O. No. 64, 1901, was then read a second time.

President Haldeman called Councilman Crall to the chair.

On motion of Mr. Negley, G. O. No. 64, 1901, was ordered engrossed, read a third time and passed by the following vote:

Ayes—Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Halde-
man.

Noes—Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Moriarity, the Common Council, at 9:45 o'clock p. m., adjourned.

A. M. Halderman

President.

ATTEST:

Charles N. Elliott

City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
THURSDAY, November 7, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday evening, November 7, 1901, at 7:45 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., November 7, 1901.

To the President and Members of the Common Council:

Gentlemen—I deem it expedient that a special meeting of the Common Council should be held prior to the date provided for the next regular meeting. I therefore call a special meeting of said council for Thursday, November 7, 1901, to be held at the Council Chamber in said city, at the hour of 7:45 o'clock p. m. Of such meeting you will each take notice.

The purpose of this meeting is to consider "An ordinance authorizing the issue and sale of one hundred and ninety-seven (197) funding bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or the sinking fund of said city, or as may be required by law in order to raise money to take up and fund certain temporary loans of said city, which by their terms are payable on the second day of December, 1901, aggregating one hundred and ninety-five thousand dollars (\$195,000); prescribing the time and manner of advertising the sale of said funding bonds and of the receipt of bids for the same, together with the mode and terms of sale; appropriating the proceeds of the sale of said funding bonds; providing the time and manner of payment of said temporary loans; and providing for the funding of the indebtedness of the City of Indianapolis represented by said temporary loans, and matters connected therewith; and fixing the time when the same shall take effect," which ordinance will be submitted to your body by the City Comptroller.

I approve the recommendation of the Comptroller urging the passage of this ordinance in the belief that it represents the best and most business-like manner of caring for the temporary loans made by the preceding administration. An examination of the books of the Comptroller's office shows that there were left unpaid by the preceding administration current bills for the month of September, and other months, aggregating \$48,344.87, to which should be added the further sum of \$24,902.59 of September bills approved by the Board of Public Works and the Board of Public Health and Charities after the 10th day of October, 1901, making a total of unpaid bills of the preceding administration of \$73,247.46.

Should the temporary loans made by the preceding administration, together with the unpaid current bills left by such administration, be

discharged from the current revenues of the city, it would be necessary in my judgment for your body to make a further temporary loan in the month of December to meet November pay-rolls and other city obligations, while other temporary loans would be required in the months of January, February, March and April, 1902, to meet pay-rolls and bills accruing against the city in such months.

The fixing of a sinking fund tax by the Common Council in September, 1901, has in my opinion provided a most satisfactory manner of meeting this floating debt which has been accumulated during the preceding administration, especially since the adoption of the 59-cent levy in September, 1899. In recommending this course of procedure I am governed by the belief that it will remove the troublesome question of temporary loans from the management of the financial affairs of the city. It may still prove necessary to make a temporary loan in March, 1902, to meet pay-rolls and other urgent city obligations, but I am of opinion that by careful and economical management of the city affairs even this loan can be avoided.

The condition of the city treasury at the commencement of this administration, on October 10, 1901, was most deplorable. All appropriations were practically exhausted, while, as I have before shown, city obligations incurred prior to the commencement of this administration, aggregating \$73,247.46, remained unpaid, with but about \$19,000 in the city treasury. For the further information of your honorable body I submit herewith a communication of the City Comptroller, setting forth, after careful tabulation, his estimate of the condition of the city at the expiration of the current year, together with his recommendation as to the best method of providing for the payment of the temporary loans which were handed over to this administration by its predecessor:

"Hon. Charles A. Bookwalter, Mayor City of Indianapolis:

"Sir—I desire to call your attention to the temporary loans issued August 1, September 3, September 7, and October 11, 1901, aggregating \$195,000, which said loans with interest thereon, \$1,455.38, become due and payable December 2, 1901:

The estimated expenditures to December 31, 1901....	\$385,201.16
Temporary loans and interest due December 2, 1901..	196,455.38
Total	\$581,656.54
Estimated receipts to December 31st.....	406,930.23
Excess of expenditures over receipts.....	\$174,726.31

"This deficit must be provided for without delay by issuing bonds or temporary loans.

"Permit me to suggest for your consideration the practicability of refunding said temporary loans of \$195,000 with bonds which shall be made to mature in annual or semiannual installments, thus gradually paying off such bond issue. I am of the opinion that bonds thus issued, bearing 3½ per cent. interest, can be sold at a premium.

"Respectfully submitted,

"GEORGE T. BREUNIG,

"City Comptroller."

In conclusion I wish to again approve the suggestion of the Comptroller, believing that it presents the best method of extricating the city from the condition in which this administration found it. In approving the suggestion that the bonds to be issued should bear 3½ per cent. interest, I do so after having made inquiry of the representatives of various financial institutions of the city, believing that it

would be impossible, owing to the right reserved by the city to repay its bonds in installments as provided by the ordinance this day submitted to your body, to negotiate the same at a lower rate of interest. I am satisfied, however, from such inquiry, that the premium bid for such bonds will reduce the net cost to the taxpayers to less than $3\frac{1}{4}$ per cent. per annum.

Under the plan outlined in this ordinance \$7,000 of the bonds will be extinguished on July 1st, 1902, from the payment to the sinking fund made in May, 1902, while on the 1st day of January, 1903, and upon each recurring six months' period thereafter, a further sum of \$10,000 will be paid. From this it will be seen that the total debt will be discharged within ten years from date of issue. Further reasons for approving this issue of bonds are:

First. Should we continue the policy of temporary loans which has obtained during the last two years (a continuance of which policy unless bonds are issued, would be rendered absolutely necessary by the inability of the city to discharge such loans from current revenues within the next ten years, without materially increasing the burden of taxation) and should there come an unsettled condition in the money market, the city might find itself, instead of paying $3\frac{1}{2}$ per cent. interest on its bonds, in the same condition in which it was placed during the last year of Mr. Sullivan's administration, when it was compelled to pay not only 7 3-10 per cent. interest upon its bonds, but an additional bonus of one-half of one per cent. to a New York financial institution to have its credit protected.

Second. This action fixes for all time, or until the debt has been extinguished, the responsibility for its creation.

As a general proposition, I am opposed to any increase in the permanent debt of the city, and it shall be my purpose in the future to avoid any such increase. Under the circumstances, however, I feel that this administration is not chargeable and cannot be held responsible, for this bond issue, rendered necessary, as it has been, by the acts of the preceding administration. It shall be the purpose of the administration to conduct the affairs of the city within the revenues derived from all sources, and in the accomplishment of this purpose I bespeak the earnest co-operation of your honorable body.

Respectfully submitted,

CHARLES A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

The call was read and on motion of Mr. Crall was spread on the minutes.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair and 15 members, viz.: Messrs. Berry, Crall, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent 5, viz.: Messrs. Billingsley, Cooper, Eppert, Holli-day and Wolsiffer.

Mr. Billingsley arrived and took his seat at 7:53 o'clock.

COMMUNICATIONS FROM CITY OFFICERS.

Under this order of business the City Comptroller presented the following communication:

DEPARTMENT OF FINANCE

Office of the City Comptroller,

INDIANAPOLIS, IND., November 7, 1901.

To the President and Members of the Common Council:

Gentlemen—I enclose and recommend the passage of an ordinance authorizing the issuing of funding bonds to the amount of one hundred and ninety-seven thousand dollars (\$197,000).

The bonds are issued to fund the temporary loans dated August 1, September 3, September 7, and October 1, 1901, aggregating the sum of one hundred and ninety-five thousand dollars (\$195,000) with interest thereon, one thousand four hundred and fifty-five dollars and thirty-eight cents (\$1,455.38), making a total of one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents (\$196,455.38), which said temporary loans and interest thereon are due December 2, 1901.

Said funding bonds of \$197,000 to bear interest at three and one-half per cent ($3\frac{1}{2}\%$) per annum, payable semiannually on January 1st and on July 1st of each year, the first coupon to be for seven (7) months' interest, or from December 2, 1901, to July 1, 1902.

The principal to become due and payable, \$7,000 on July 1, 1902, and \$10,000 semiannually on January 1, and on July 1, of each year thereafter until paid.

The proceeds from the sale of such bonds of \$197,000 to be used in paying such temporary loans and interest thereon and expenses of such issue.

Respectfully submitted,

GEORGE T. BREUNIG,

City Comptroller.

Which was read and on motion of Mr. Crall referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinance was introduced:

By the City Comptroller (through Mr. Wynne):

G. O. No. 67, 1901. An ordinance authorizing the issue and sale of one hundred and ninety-seven (197) funding bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said city, or as may be required by law, in order

to raise money to take up and fund certain temporary loans of said city, which by their terms are payable on the second day of December, 1901, aggregating one hundred and ninety-five thousand dollars (\$195,000); prescribing the time and manner of advertising the sale of said funding bonds and of the receipt of bids for the same, together with the mode and terms of sale; appropriating the proceeds of the sale of said funding bonds; providing the time and manner of payment of said temporary loans; and providing for the funding of the indebtedness of the said City of Indianapolis represented by said temporary loans, and matters connected therewith; and fixing the time when the same shall take effect.

Whereas, There are outstanding certain valid temporary loans of the City of Indianapolis, Indiana, to wit: one for fifty thousand dollars (\$50,000) issued August 1, 1901, under and by authority of General Ordinance No. 44, 1901, approved July 30, 1901; one for forty thousand dollars (\$40,000) issued September 3, 1901, under and by authority of General Ordinance No. 47, 1901, approved August 26, 1901; one for fifty-five thousand dollars (\$55,000) issued September 7, 1901, under and by authority of General Ordinance No. 52, 1901, approved September 4, 1901; one for fifty thousand dollars (\$50,000) issued October 1st, 1901, under and by authority of General Ordinance No. 53, 1901, approved September 28, 1901; all said loans aggregating one hundred and ninety-five thousand dollars (\$195,000) and interest, and maturing December 2, 1901; and

Whereas, It is to the best interests of the City of Indianapolis to pay off said temporary loans and fund the indebtedness covered thereby, and there are not now and will not be sufficient funds in the treasury of said city with which to pay said temporary loans; and it is necessary for the City of Indianapolis to borrow the sum of one hundred and ninety-seven thousand dollars (\$197,000), and issue and sell its bonds in that amount, payable from the general revenues and funds of said city, or the Sinking Fund of said city, or as may be required by law, and

Whereas, It is necessary to fund said indebtedness; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the head of the Department of Finance of said city be, and is hereby authorized and directed to fund certain of the indebtedness of the City of Indianapolis, amounting to the sum of one hundred and ninety-five thousand dollars (\$195,000) with accrued interest, which indebtedness is represented by certain temporary loans of said city, to wit: One for fifty thousand dollars (\$50,000), issued August 1, 1901, under and by authority of General Ordinance No. 44, 1901, approved July 30, 1901; one for forty thousand dollars (\$40,000), issued September 3, 1901, under and by authority of General Ordinance No. 47, 1901, approved August 26, 1901; one for fifty-five thousand dollars (\$55,000), issued September 7, 1901, under and by authority of General Ordinance No. 52, 1901, approved September 4, 1901; one for fifty thousand dollars (\$50,000), issued October 1, 1901, under and by authority of General Ordinance No. 53, 1901, approved September 28, 1901; all said loans aggregating one hundred and ninety-five thousand dollars (\$195,000) and interest, and maturing December 2, 1901.

Sec. 2. That the head of the Department of Finance is hereby directed and authorized, for the purpose of funding said indebtedness of one hundred and ninety-five thousand dollars (\$195,000) with accrued interest, to prepare and sell one hundred and ninety-seven (197) new bonds of the City of Indianapolis, Marion county, Indiana, of the sum of one thousand dollars (\$1,000) each, which bonds shall bear date

of December 2, 1901, and shall be numbered one to one hundred and ninety-seven inclusive, and shall be designated Indianapolis Funding Bonds of 1901, and shall bear interest at the rate of three and one-half (3½) per centum per annum, which interest shall be payable semiannually on the first day of January and the first day of July of each year beginning with July 1, 1902, and said installments of interest shall be evidenced by interest coupons attached to said bonds. Said bonds and interest coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Co. of Greater New York, State of New York. Said bonds shall be signed by the Mayor and City Comptroller of said City of Indianapolis, and attested by the City Clerk, who shall affix the seal of said city to each of said bonds, and said bonds shall mature as follows:

1 to	7, inclusive, July 1, 1902.....	\$ 7,000
8 to	17, inclusive, Jan. 1, 1903.....	10,000
18 to	27, inclusive, July 1, 1903.....	10,000
28 to	37, inclusive, Jan. 1, 1904.....	10,000
38 to	47, inclusive, July 1, 1904.....	10,000
48 to	57, inclusive, Jan. 1, 1905.....	10,000
58 to	67, inclusive, July 1, 1905.....	10,000
68 to	77, inclusive, Jan. 1, 1906.....	10,000
78 to	87, inclusive, July 1, 1906.....	10,000
88 to	97, inclusive, Jan. 1, 1907.....	10,000
98 to	107, inclusive, July 1, 1907.....	10,000
108 to	117, inclusive, Jan. 1, 1908.....	10,000
118 to	127, inclusive, July 1, 1908.....	10,000
128 to	137, inclusive, Jan. 1, 1909.....	10,000
138 to	147, inclusive, July 1, 1909.....	10,000
148 to	157, inclusive, Jan. 1, 1910.....	10,000
158 to	167, inclusive, July 1, 1910.....	10,000
168 to	177, inclusive, Jan. 1, 1911.....	10,000
178 to	187, inclusive, July 1, 1911.....	10,000
188 to	197, inclusive, Jan. 1, 1912.....	10,000

\$197,000

With coupons attached thereto for semiannual installments of interest at the rate of three and one-half (3½) per centum per annum, payable on January 1, and July 1, of each year, beginning with July 1, 1902, with first coupon on each bond being for seven (7) months interest, namely, the interest from December 2, 1901, to July 1, 1902, and said interest coupons shall bear the lithographic facsimile of the signatures of the Mayor and City Comptroller. Said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Marion county, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with No. 1, and giving the date of their issuance, their amounts, date of maturity, rate of interest, and the time and place where said interest shall be payable.

Said bonds shall be substantially in the following form, tenor and effect, all blanks for numbers and dates to be properly filled before issuance thereof:

No.....

\$1,000.

UNITED STATES OF AMERICA,

City of Indianapolis, Marion County, State of Indiana,

INDIANAPOLIS FUNDING BOND OF 1901.

For value received, the City of Indianapolis, Marion county, Indiana, promises to pay to the bearer one thousand dollars (\$1,000) in lawful money of the United States of America, on the day of..... 190..., with interest thereon at the rate of three and one-half (3½) per centum per annum, payable semiannually on the first days of January and July of each year hereafter, beginning with July 1, 1902, the first coupon carrying the interest hereon from December 2, 1901, to July 1, 1902, upon the surrender and cancellation of the proper coupons hereto attached, both principal and interest being payable at the Banking House of Winslow, Lanier & Co., of Greater New York, in the State of New York.

This bond is one of a series of one hundred and ninety-seven (197) bonds, numbered from 1 to 197, inclusive, each of the same date, amount, tenor and effect, and maturing as follows:

1 to 7, inclusive, July 1, 1902.....	\$ 7,000
8 to 17, inclusive, Jan. 1, 1903.....	10,000
18 to 27, inclusive, July 1, 1903.....	10,000
28 to 37, inclusive, Jan. 1, 1904.....	10,000
38 to 47, inclusive, July 1, 1904.....	10,000
48 to 57, inclusive, Jan. 1, 1905.....	10,000
58 to 67, inclusive, July 1, 1905.....	10,000
68 to 77, inclusive, Jan. 1, 1906.....	10,000
78 to 87, inclusive, July 1, 1906.....	10,000
88 to 97, inclusive, Jan. 1, 1907.....	10,000
98 to 107, inclusive, July 1, 1907.....	10,000
108 to 117, inclusive, Jan. 1, 1908.....	10,000
118 to 127, inclusive, July 1, 1908.....	10,000
128 to 137, inclusive, Jan. 1, 1909.....	10,000
138 to 147, inclusive, July 1, 1909.....	10,000
148 to 157, inclusive, Jan. 1, 1910.....	10,000
158 to 167, inclusive, July 1, 1910.....	10,000
168 to 177, inclusive, Jan. 1, 1911.....	10,000
178 to 187, inclusive, July 1, 1911.....	10,000
188 to 197, inclusive, Jan. 1, 1912.....	10,000

 \$197,000

Which bonds have been issued by said City of Indianapolis in order to raise money to take up valid outstanding temporary loans of said city, in and pursuant to an ordinance duly and legally passed by the Common Council of said city, in strict conformity with and as authorized by the act of the General Assembly of the State of Indiana entitled: "An Act concerning the Incorporation and Government of Cities having more than One Hundred Thousand Population according to the last preceding United States Census, and matters connected therewith, and declaring an emergency", approved March 6, 1891, and

all acts supplementary thereto and amendatory thereof, and all things and acts required by the laws of the State of Indiana and by said ordinance have happened and have been done and performed in and about the authorization, preparation, issue and complete execution of this bond; and this bond and the temporary loans funded hereby are certified to be within every limit of indebtedness prescribed by the Constitution and laws of the State of Indiana.

The faith and credit of the City of Indianapolis, Marion county, Indiana, is irrevocably pledged to the payment of the principal and interest of this bond, as herein stipulated.

In Witness Whereof, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Comptroller, and the seal of said city to be affixed thereto and attested by the City Clerk, this 2nd day of December, Nineteen Hundred and One.

Mayor.

City Comptroller.

ATTEST:

City Clerk.

[SEAL]

The interest warrants or coupons attached to said bonds shall be authenticated by the signatures of the Mayor and City Comptroller of said city engraven thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for the interest on said bond from December 2, 1901, to July 1, 1902.

Sec. 3. That the head of the Department of Finance shall as soon as practicable, after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each in the Indianapolis Journal and Daily Reporter, daily newspapers of general circulation, printed and published in the City of Indianapolis, and in the Commercial and Financial Chronicle, a weekly newspaper of general circulation, printed and published in the State of New York, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the City Comptroller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Comptroller to reject any or all bids, the amount of deposit the bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 4. Each and every bid or proposal shall be presented to the City Comptroller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of Armin C. Koehne, City Treasurer, for the sum of money which shall equal two and one-half (2½) per centum of the

face or par value of the bonds bid for, or proposed to be purchased. The City Comptroller shall continue to receive all bids or proposals therefor at the office of the City Comptroller until 12 o'clock noon on the 27th day of November, 1901, at which time and place and between said hour and 2 o'clock p. m. of said day he shall open said bids or proposals. The City Comptroller shall award said bonds, or, if he shall see fit, a part or any number thereof, to the highest and best bidder therefor; but said City Comptroller shall have the full right to reject any or all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of re-offering and re-advertisement of said bonds, as hereinafter provided.

Sec. 5. In case the City Comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall re-advertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such re-advertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to re-advertise said bonds for sale until said bonds are sold.

Sec. 6. In case any bid or proposal shall not be accepted, and there shall be no award of bonds by the Comptroller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the Comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to re-advertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to said city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Comptroller as herein provided, the proceeds of said certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or at the option of the City Comptroller at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 7. Delivery of any bonds sold shall be made at the office of the City Treasurer of said City of Indianapolis, Indiana, on the second day of December, 1901, at 10 o'clock a. m., or upon such other day or days

at 10 a. m., as may be specified in the advertisement or re-advertisement for proposals, or within such time thereafter as may be fixed by the Comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them, and pay for the same at such place and times, and his or their refusal, neglect or omission so to do shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 8. The bonds taken and paid for to the satisfaction of the City Comptroller shall be binding obligations upon said City of Indianapolis, according to their tenor and effect; and the proceeds derived from any sale or sales of bonds, as herein authorized, shall be and are appropriated to the use of the Department of Finance, to be used and applied as follows: That is to say, to the payment of the principal and accrued interest of the said hereinbefore described outstanding temporary loans and to the expense of issuance, sale and delivery of the bonds herein provided for, the balance of said proceeds, if any, for the general use or fund of said city, and the City Comptroller is hereby authorized to draw all proper and necessary warrants and to do whatever acts may be necessary to carry out the provisions of this ordinance.

Sec. 9. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Mr. Eppert arrived at 8:05 o'clock and took his seat.

On motion of Mr. Billingsley, the Common Council, at 8:10 o'clock p. m., adjourned.

R. H. Alderman
President.

ATTEST:

Charles W. Elliott
City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, November 11, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 11, 1901, at 8 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, IND., November 11, 1901.

To the City Clerk, President and Members of the Common Council of the City of Indianapolis, Ind.:

Gentlemen—You are hereby notified that under and by the authority vested in me as Mayor of the City of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called, to meet at the hour of 8 o'clock p. m., November 11, 1901, in the Council Chamber of said city, for the purpose of considering, taking action on and passing General Ordinance No. 67, 1901, and for the purpose of considering, taking action on, and passing Appropriation Ordinance No. 18, 1901.

And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of said service at said special meeting.

CHARLES A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 19 members, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Cooper.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of a majority of the Committee on Finance, to which was referred G. O. No. 67, 1901:

G. O. No. 67, 1901. An ordinance authorizing the issue and sale of one hundred and ninety-seven (197) funding bonds of one thousand dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said city, or as may be required by law, in order to raise money to take up and fund certain temporary loans of said city, which by their terms are payable on the second day of December, 1901, aggregating one hundred and ninety-five thousand dollars (\$195,000); prescribing the time and manner of advertising the sale of said funding bonds and of the receipt of bids for the same, together with the mode and terms of sale; appropriating the proceeds of the sale of said funding bonds; providing the time and manner of payment of said temporary loans; and providing for the funding of the indebtedness of the said City of Indianapolis represented by said temporary loans, and matters connected therewith; and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 11, 1901.

To the President and Members of the Common Council:

Mr. President—Your Committee on Finance, to whom was referred General Ordinance No. 67, 1901, relating to the issue and sale of one hundred and ninety-seven dollars (\$197,000) of Indianapolis funding bonds, 1901, having duly considered the same, beg leave to report that said ordinance be amended as follows:

First. By striking out in line 2 of the title of said ordinance the word "seven" and the numeral "7," and inserting in lieu thereof the word and numeral "five" and "5."

Second. By striking out the word "seven" and the numeral "7," in line 6 of the second paragraph of the preamble of said ordinance, being line 6 on page 2 of said ordinance, and inserting in lieu thereof the word "five" and the numeral "5."

Third. By striking out the words "with accrued interest," in line 6 of Section 1 of said ordinance, and inserting in lieu thereof the word "principal."

Fourth. By striking out the words "and interest" in line 18 of Section 1 of said ordinance, and inserting in lieu thereof the word "principal."

Fifth. By striking out the words "with accrued interest," in line 4 of Section 2 of said ordinance.

Sixth. By striking out the word "seven" and the numeral "7" in the 5th line of Section 2 of said ordinance, and inserting in lieu thereof the word "five" and the numeral "5."

Seventh. By striking out the word "seven" in line 8 of Section 2 of said ordinance and inserting in lieu thereof the word "five".

Eighth. By striking out the 39th line of Section 2 of said ordinance,

and inserting in lieu thereof "188 to 195, inclusive, January 1, 1912, \$8,000."

Ninth. By striking out the 40th line of said Section 2 of said ordinance, and inserting in lieu thereof the figures "\$195,000".

Tenth. By striking out in line 77, of Section 2 of said ordinance, being line 7 of page 5 of said ordinance, the word "seven" and inserting in lieu thereof the word "five."

Eleventh. By striking out the numeral "7" wherever it occurs in line 78 of Section 2 of said ordinance, being line 8 of page 5 of said ordinance, and inserting in lieu thereof the numeral "5."

Twelfth. By striking out line 99 of Section 2 of said ordinance, being line 29, page 5, of said ordinance, and inserting in lieu thereof the following words and figures: "188 to 195, inclusive, January 1, 1912, \$8,000."

Thirteenth. By striking out line 100 of Section 2 of said ordinance, being line 30, page 5, of said ordinance, and inserting in lieu thereof "\$195,000."

And as so amended we recommend that said ordinance do pass.

Respectfully submitted,

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
FRED W. EPPERT,
W. A. RHODES.

Which was read.

Mr. Moriarity, on behalf of a minority of the Committee on Finance, to which was referred G. O. No. 67, 1901, made the following report:

INDIANAPOLIS, IND., November 11, 1901.

To the President and Members of the Common Council:

Gentlemen—The undersigned, a minority of your Finance Committee, having under consideration General Ordinance No. sixty-seven (67), providing for an increase of the permanent bonded indebtedness of the city to the amount of \$195,000, are unable to agree with the majority of the committee in recommending the passage of said ordinance, for the following reasons:

The city charter provides for the creation of indebtedness of two kinds—permanent and temporary. Sections 30 and 31 provide for the making of the permanent debt evidenced by long-time bonds, while section thirty-two provides that "temporary loans may be authorized by ordinance in anticipation of the revenues of the city for the current and following year, and payable within that period." It was under the last section that the temporary loans now proposed to be funded were made. They were made in anticipation of the revenue for the present year. In other words, they were drawn against the taxes of the year, which were then not paid, amounting to over \$300,000. These taxes have now been paid and the money is in the treasury with which to pay the draft made against it. Instead of using this money to pay the draft or temporary loan, which the law authorized to make against it, this ordinance proposes to fasten the whole amount on the city as a permanent indebtedness, thereby pushing the total up close to the limit.

What is to be done with this money with which the temporary loan bonds were to be paid, we are not informed. It seems to us instead of crowding the permanent debt up to the limit so as to block all future

progress of the city, it would be better policy to decrease it, and keep as far away from the constitutional limit as possible.

A temporary loan may be a bad thing, as claimed in the last campaign, but it seems to us that a permanent bonded debt is much worse. The temporary loan should be wiped out with the money on hand, and at the same time the permanent bonded indebtedness should be held down to where it is.

The increased tax levy will raise all the money needed, and we insist that there is neither necessity nor excuse for the passage of this ordinance.

We, therefore, recommend its indefinite postponement.

JAMES D. MORIARITY,

JAMES E. BERRY,

Minority of Finance Committee.

Which was read.

Mr. Moriarity moved that minority report be substituted for the majority report.

Mr. Crall moved to lay Mr. Moriarity's motion on the table.

Which was carried by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Whereupon the majority report, on motion of Mr. Crall, was concurred in.

Mr. Wynne, on behalf of a majority of the Committee on Finance, to which was referred App. O. No. 18, 1901: An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect, made the following report:

INDIANAPOLIS, IND., November 11, 1901.

To the President and Members of the Common Council:

Mr. President—Your Committee on Finance, to whom was referred Appropriation Ordinance No. 18, 1901, has had the same under consideration, and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
W. A. RHODES,
B. F. WYSONG,
FRED W. EPPERT.

Which was read.

Mr. Moriarity, on behalf of a minority of the Committee on

Finance, to which was referred App. O. No. 18, 1901, made the following report:

INDIANAPOLIS, IND., November 11, 1901.

To the President and Members of the Common Council:

Gentlemen—We, the undersigned members (minority) of your Finance Committee, beg leave to submit the following report:

That ordinance No. 18 do not pass.

JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read.

Mr. Moriarity moved that minority report be substituted for majority report.

Which motion was lost by following vote:

Ayes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Noes, 12, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Mr. Moriarity moved that the Council do now adjourn.

Which motion was lost.

Whereupon the majority report, on motion of Mr. Crall, was concurred in by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

ORDINANCES ON SECOND READING.

Mr. Crall moved that the following entitled ordinance be taken up and read a second time:

App. O. No. 18, 1901. An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when same shall take effect.

On motion of Mr. Crall, App. O. No. 18, 1901, was then ordered engrossed, read a third time and failed to pass for want of a constitutional majority, by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Berry, the Common Council adjourned at 8:35 o'clock p. m.

R. M. Haldeman

Charles H. Eppert

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

SATURDAY, November 16, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Saturday evening, November 16, 1901, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT.

City of Indianapolis,

INDIANAPOLIS, IND., November 15, 1901.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 o'clock p. m., on November 16, 1901, in the council chamber in said city, for the purpose of introducing, considering and taking action on Appropriation Ordinance No. 19, 1901: An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and affixing the time when same shall take effect.

And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service at such special meeting.

CHARLES A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 12 members, viz.: Messrs. Berry, Crall, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Wahl, Wheeler, Wolsiffer and Wynne.

Absent, 8, viz.: Messrs. Billingsley, Cooper, Eppert, Holli-

day, Sourbier, Warweg, Wysong and President Haldeman.

Mr. Moriarity moved that the Council do now adjourn.

Which motion was lost by the following vote:

Ayes, 6, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Wahl and Wolf-siffer.

Noes, 7, viz.: Messrs. Crall, McFarland, Negley, Shea, Wheeler, Wynne and Vice-President Rhodes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, IND., November 16, 1901.

To the President and Members of the Common Council:

Gentlemen: On December 2, 1901, the following issues of temporary loans, fifty thousand dollars (\$50,000) dated August 1, 1901; forty thousand dollars (\$40,000) dated September 3, 1901; fifty-five thousand dollars (\$55,000) dated September 7, 1901; and fifty thousand dollars (\$50,000), dated October 1, 1901, with interest thereon, will become due and payable. Said temporary loans and interest amount to one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents (\$196,455.38).

I recommend that an ordinance be passed appropriating the sum of one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents (\$196,455.38), for the purpose of paying said temporary loans and interest at maturity.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read a first time and referred to Committee on Finance.

APPROPRIATION ORDINANCES.

By City Comptroller (through Mr. Wynne):

App. O. No. 19, 1901. An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated to and for the Department of Finance the sum of one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents, for

the purpose of paying temporary loans and interest thereon, due December 2, 1901, viz:

Temporary Loans issued August 1, 1901.....	\$50,000.00
Interest thereon at $3\frac{1}{8}$ per cent.	526.54
Temporary Loans issued September 3, 1901.....	40,000.00
Interest thereon at 3 per cent.	295.89
Temporary Loans issued September 7, 1901.....	55,000.00
Interest thereon at 3 per cent.	388.77
Temporary Loans issued October 1, 1901.....	50,000.00
Interest thereon at $2\frac{7}{8}$ per cent.	244.18

Total temporary loans and interest.....\$196,455.38

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

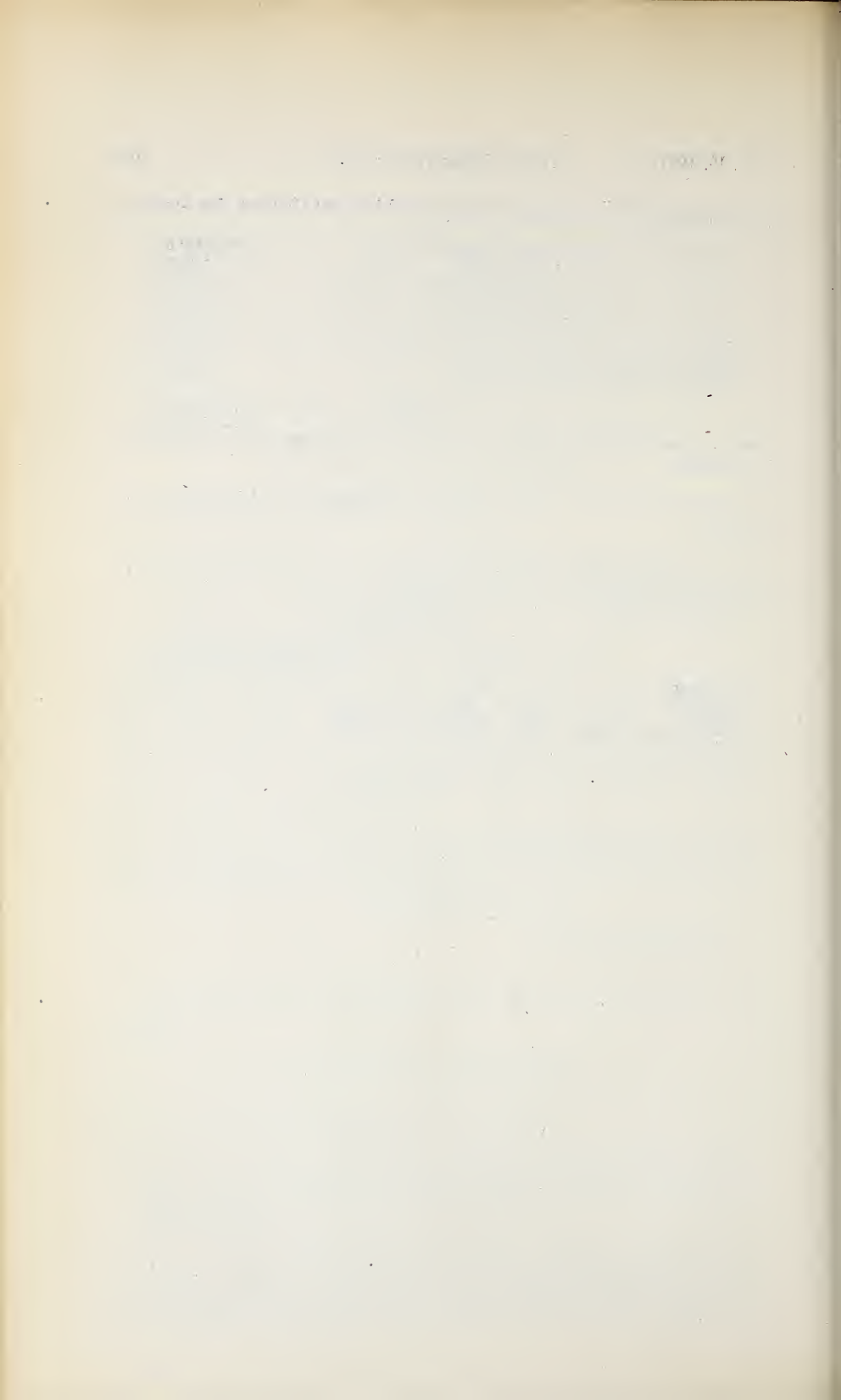
On motion of Mr. Crall, the Common Council adjourned at 8:10 o'clock p. m.

W. A. K. K. K.
.....
President Pro Tem.

ATTEST:

Charles N. Elliott
.....

City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, November 18, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 18, 1901, at 8:00 o'clock, in regular meeting.

Present, Honorable Wm. A. Rhodes, Vice-President of the Common Council, and 19 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: President Haldeman.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, IND., November 6, 1901.

To the President and Members of the Common Council:

Gentlemen—I have this day approved the following ordinance: G. O. No. 64, 1901. An ordinance ratifying, confirming and approving a certain contract, or agreement, made and entered into on the 4th day of November, 1901, between the city of Indianapolis, by and through its Board of Public Works, and the Union Traction Company of Indiana, and providing for the taking effect of same.

Respectfully submitted,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Comptroller:

FINANCE DEPARTMENT,
Office of City Comptroller,
INDIANAPOLIS, IND., November 18, 1901.

To the President and Members of the Common Council:

Gentlemen—I herewith present a communication from the Board of Public Works requesting additional appropriations for said department as follows:

For City Civil Engineer's salaries.....	\$3,900.00
For public buildings and repairs.....	500.00
For repairing permanently improved streets.....	1,500.00
For street repair accounts (unimproved streets).....	1,000.00
For bridge gang payrolls.....	700.00

Total\$7,600.00

After due consideration and investigation, I am of the opinion that there is urgent need for these appropriations, and therefore recommend that an ordinance be passed making the appropriations asked for.

Respectfully submitted,

GEO. T. BRUENIG,
City Comptroller.

Which was read and referred to Committee on Finance.

FINANCE DEPARTMENT,
Office of City Comptroller,
INDIANAPOLIS, IND., November 18, 1901.

To the President and Members of the Common Council:

Gentlemen—I herewith present a communication from the Department of Public Works asking for the transfer of the sum of \$2,000 from the unexpended appropriation for "sprinkling unimproved streets" to the "sweeping and cleaning improved streets" account.

I recommend that an ordinance be passed making the transfer requested.

Respectfully submitted,

GEO. T. BRUENIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, IND., November 15, 1901.

Mr. George T. Breunig, City Comptroller.

Dear Sir—This department will need additional funds for the current expenses during the remainder of this year, as follows:

For City Civil Engineer's salaries.....	\$3,900.00
For public buildings and repairs.....	500.00
For repairing permanently improved streets.....	1,500.00
For street repair accounts (unimproved streets).....	1,000.00
For bridge gang payrolls.....	700.00

Total\$7,600.00

There is this day but \$103.44 to the credit of the City Civil Engineer's Salary Fund, and by a close estimate the payroll in this department for the present month will be \$2,200 and for December \$1,700. The payroll for October was \$2,372.99.

In the fund for public buildings and repairs there is now \$229.41. Most of the buildings in the custody of the Board are badly in need of repairs. The roof of Tomlinson Hall was in such serious condition that it was absolutely necessary to make temporary repairs at a cost of \$156.75, which bill is now outstanding against the balance of \$229.41. The roof of the Town Hall in Haughville has become so defective that the rains have leaked through to such an extent that organizations renting the building for a lodge-room have been compelled to remove the pictures from the walls, causing much inconvenience, and the Board has contracted for repairs at an estimated cost of \$50. The portion of the Police Headquarters Building, occupied by the City Dispensary, is so greatly in need of painting and other repairs that the State Board of Charities has called attention to the fact. The Board estimates that an additional \$500 will allow the making of absolutely necessary repairs until the first of the next year.

The work of repairing permanently improved streets is one which cannot be neglected, and as the season is close at hand when such repairs must cease for the next few months, the Board is very desirous of prosecuting the work at once. There is but \$364.51 in the fund set aside for this purpose, and the City Civil Engineer estimates that it will require \$1,500 additional.

A similar condition exists with reference to the unimproved streets, which are receiving practically no repairs at this time, as the fund contains but \$72.54. Many unimproved streets must necessarily be repaired or they will shortly become impassable.

In the fund from which the bridge gang is paid there is \$191.70, while the average weekly pay-roll is between \$100 and \$200. For several weeks little has been done toward repairing bridges, owing to the lack of funds, but the Street Superintendent reports that it will be dangerous to delay longer, as some of the city's bridges are now in a dangerous condition.

Unless these additional funds become available by December 1, 1901, the employes in the City Civil Engineer's Department cannot be paid for their services during November, and most of the repairs cannot be made this season.

Respectfully,

EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Finance.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, IND., November 15, 1901.

Mr. George T. Breunig, City Comptroller:

Dear Sir—This department will require additional funds for sweeping and cleaning improved streets during the remainder of this year, and requests you to recommend that the Common Council transfer to this fund \$2,000 from the fund for sprinkling unimproved streets. There is in the latter fund \$3,022, and as the contracts for street sprinkling have expired, the amount asked to be transferred will not be needed in the

sprinkling fund. There is at present \$5,288.70 in the fund for sweeping and cleaning improved streets, which is wholly insufficient to do this work during the remainder of November and December.

Respectfully,

EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Finance.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 17, 1901: An ordinance appropriating the sum of \$1,875 to and for the use of the Department of Finance for election expenses, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 15, 1901.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 17 under consideration, and recommends that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
FRED W. EPPERT,
W. A. RHODES,
B. F. WYSONG,
J. D. MORIARITY,
JAMES E. BERRY.

Which was read and concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 63, 1901, an ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 15, 1901.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had G. O. No. 63 under consideration, and recommends that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
FRED W. EPPERT,
W. A. RHODES,
B. F. WYSONG,
J. D. MORIARITY,
JAMES E. BERRY.

Which was read and concurred in.

Mr. Wynne, on behalf of a majority of the Committee on Finance, to which was referred App. O. No. 19, 1901: An ordinance appropriating the sum of \$196,455.38, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 18, 1901.

To the President and Members of the Common Council:

Gentlemen--Your Committee on Finance, to whom was referred App. O. No. 19, 1901, has had the same under consideration, and recommends that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
W. A. RHODES,
B. F. WYSONG,
FRÉD W. EPPERT.

Which was read.

Mr. Moriarity, on behalf of a minority of the Committee on Finance, to which was referred App. O. No. 19, 1901, made the following report:

INDIANAPOLIS, IND, November 18, 1901.

To the President and Members of the Common Council:

Gentlemen--We, the undersigned minority members of your Committee on Finance, recommend that App. O. No. 19, 1901, do not pass.

J. D. MORIARITY,
JAMES E. BERRY.

Which was read.

Mr. Moriarity moved that the minority report be substituted for the majority report.

Which motion was lost by following vote:

Ayes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Noes, 12, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Whereupon the majority report, on motion of Mr. Wynne, was concurred in by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No 65, 1901: An ordinance changing the name of that portion of Greenbriar Lane extending from an extension of the north property line of Bloyd avenue to Hillside avenue, and including that portion of such extension which is sometimes known as Fernway avenue, to "Bloyd avenue," and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 18, 1901.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, having had G. O. No. 65, 1901, under consideration, respectfully recommend that the same do pass.

J. S. HOLLIDAY,
T. A. WYNNE,
FRED W. EPPERT,
ANDREW H. WAHL,
W. A. RHODES.

Which was read and concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced.

By City Comptroller (through Mr. Wynne):

App. O. No. 20, 1901. An ordinance appropriating the sum of \$7,600 to and for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of seven thousand six hundred (\$7,600) dollars be and the same is hereby appropriated to and for the use of the Department of Public Works as follows, to wit:

For City Civil Engineer's salaries, the sum of.....	\$3,900.00
For public buildings and repairs, the sum of.....	500.00
For repairing permanently improved streets, the sum of	1,500.00
For street repair accounts (unimproved streets), the	
sum of	1,000.00
For bridge gang payrolls, the sum of.....	700.00

Total\$7,600.00

And the said Department of Public Works is hereby authorized to expend the several sums herein appropriated, or so much thereof as may be necessary, for the purposes named.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced.

By City Comptroller (through Mr. Wynne):

G. O. No. 68, 1901. An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of two thousand (\$2,000) dollars be and the same is hereby transferred from the appropriation heretofore made for the use of the Department of Public Works for "sprinkling unimproved streets" for the year 1901, to the "sweeping and cleaning improved streets" appropriation, and said Department of Public Works is hereby authorized to expend the sum so transferred, or so much thereof as may be necessary, for the purpose named.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Negley (by request):

G. O. No. 69, 1901. An ordinance entitled an ordinance for restoring vagrant, truant or tramping boys to their homes, designating the officers to enforce the same, defining the penalties for its violation, providing for its publication, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, State of Indiana, That it shall be the duty of the Chief of Police under the direction of the Mayor (with the approval of the City Council, if necessary), to apprehend all tramping, vagrant or runaway boys or girls, lounging about railway depots, roundhouses, theaters and other places, where they have no business, either day or night; to cause the arrest of said boys or girls and incarcerate them, apart from old criminals, pending correspondence with their parents, and take the necessary steps to restore them to their homes.

Sec. 2. It shall be the duty of the Chief of Police to arrange with the officials of all railways entering into the city, and of captains of steamboats, or owners of theaters, or any person who may have a knowledge of the presence of such runaway girls or boys, to notify the police department of their presence; whereupon said city police or other arresting officer shall take charge of said youths and detain them in some place until their cases can be investigated. If said youths reside in the city, town or village where arrested, they shall first be taken home to learn the wishes of their parents, and not incarcerated unless their parents refuse to be held responsible for them.

Sec. 3. If youths are homeless, and show criminal tendencies and a vicious nature, the judge may commit them to the reform school of the State under the provisions of the law already in force in such cases

made and provided for them. If said youths shall be found to be homeless and thriftless, then it shall be the duty of the Chief of Police, with the approval of the Mayor, to incarcerate them and provide for their necessary wants until their cases can be investigated; and, where necessary, they can be sent to the Reform School until they are of age and improved morally and socially to justify their removal to a home on a farm, or given employment in some branch of mechanical industry. If such boy or girl have due them any prospective inheritance, then the Mayor of the city, or other proper court officials from which they are sentenced, shall report their case to the public guardian, who shall take the steps necessary to recover the same and hold it for said minor persons until they arrive at their majority, when the proper court will direct a settlement of such inheritance according to law, when the further responsibility of city officials and public guardians shall cease.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Daily Sentinel, a newspaper of general circulation printed and published in the City of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Negley (by request):

G. O. No. 70, 1901. An ordinance entitled "An ordinance to prevent the incarceration of youths—boys and girls—in station houses, jails, workhouses, etc., with old and hardened criminals," designating the officers to enforce the same, defining the penalties for its violation, providing for its publication, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the City Council of the City of Indianapolis, State of Indiana, That it shall be unlawful for any policeman, or any other city official with discretionary powers to arrest, to incarcerate any boy or other minor person under the age of eighteen years, with old and hardened criminals, and for any failure on the part of any of the said officials to observe the provisions of this ordinance they shall subject themselves to a fine of not less than \$10.00 or more than \$50.00 for each offense.

Sec. 2. It shall be the duty of the Chief of Police, under the direction of the Police Commissioners, to provide separate departments for the boy or other minor persons arrested under the provisions of Section 1 of this ordinance, to arrange for separate departments for their incarceration in some place separate and apart and without the hearing of old and hardened criminals, pending their incarceration, or until their cases shall have received a hearing in the proper court.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Daily Sentinel, a newspaper printed and published in the City of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Billingsley:

G. O. No. 71, 1901. An ordinance changing the name of Bellefontaine street, between Twenty-first street and Twenty-third street, to Ashland avenue.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the name of that portion of Bellefontaine street between Twenty-first street and Twenty-third street, be and the same is hereby changed to Ashland avenue.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

INDIANAPOLIS, IND., November 6, 1901.

We, the undersigned property owners living on what is now called Bellefontaine street, between Twenty-first and Twenty-third streets, respectfully petition the Council of Indianapolis, to change the name of these two squares to Ashland avenue, in order to avoid confusion. The continuation of this street south of Twenty-first street and north of Twenty-third street is named Ashland avenue, and is one square east of College avenue. There is a slight offset at Twenty-first street and a very slight offset at Twenty-third street, and between these two offsets the street is known as Bellefontaine street, and as it is a continuation of Ashland avenue proper, and is also the first street east of College avenue, the residents on these two squares find it very annoying as it now is. It also proves a source of inconvenience to strangers when they happen to be in this part of the city, and they try to find out what has become of Ashland avenue when it leaves Twenty-first street.

1. Julia T. George, 2124 Bellefontaine St.
2. Annie D. Johnson, 2128 Bellefontaine St.
3. J. M. Dungan, 2204 Bellefontaine St.
4. James W. Lilly, 2101 Bellefontaine St.
5. James W. Lilly, 2103 Bellefontaine St.
6. Emma A. Brown, 2126 Bellefontaine St.
7. Anna Somers Weir, 2127 Bellefontaine St.
8. G. A. and G. U. Johnstone, 2125 Bellefontaine St.
9. Ailine Maillard, 2129 and 2131 Bellefontaine St.
10. Mrs. S. G. Woodward, 2209 Bellefontaine St.
11. Robt. F. Hammond, 2235 Bellefontaine St.
12. Margaret L. Wilson, 2226 Bellefontaine St.
13. Mrs. Katherine Backus, 2206 Bellefontaine St.
14. Sarah Osburn, 2208 Bellefontaine St.
15. M. E. Race, 2202 Bellefontaine St.
16. John Booth, 2210 Bellefontaine St.
- W. A. Schofield, renter, 2218 Bellefontaine St.
17. Wm. C. Rebling, 2212 Bellefontaine St.
18. Louis P. Cornet, 2223 Bellefontaine St.
19. John G. Cornet, 2223 Bellefontaine St.
20. E. R. Wood, 2107 Bellefontaine St.
21. Geo. G. Smith, 2130 and 2132 Bellefontaine St.
22. J. W. Hillman, 2117 Bellefontaine St.
23. J. Weaver, 2106 Bellefontaine St.
24. Joseph Shissler, 2109 Bellefontaine St.
25. W. Giezendanner, 2112 Bellefontaine St.
26. Jno. O. Spann & Co., Agents, vacant lot, 2114 Bellefontaine St.
27. George W. and Mary J. C. Brown, 2108 Bellefontaine St.
28. J. G. McCullough, Agent, vacant lot bet. 22nd and 23rd Sts.

29. John M. Newman, vacant lot bet. 22nd and 23rd Sts.
30. Mary E. Sims, 2201 Bellefontaine St.
C. F. Scrimshe, renter, 2214 Bellefontaine St.
31. D. B. Scruggs, 2119 Bellefontaine St.
32. Mr. and Mrs. J. F. Moor, 2221 Bellefontaine St.
33. Joseph E. Schofield, 2220 Bellefontaine St.
34. Lafe and Luella McKee, vacant lot bet. 22nd and 23rd Sts.
35. Belle R. Phillips, 2214 Bellefontaine St.
36. Henry Eitel, 2215 Bellefontaine St.
37. Johanna Harrington, 48 ft. lot on Bellefontaine St. bet. 22nd and 23rd Sts.

To the Common Council of the City of Indianapolis:

We, the undersigned resident property owners on Bellefontaine street between Twenty-first and Twenty-third streets, respectfully remonstrate against changing the name of Bellefontaine street between Twenty-first and Twenty-third streets.

1. W. S. Overstreet, 2122 Bellefontaine St.
2. I. E. Brokaw, 2118 Bellefontaine St.
3. Mrs. Frank Bergman, 2116 Bellefontaine St.
4. W. T. Littell, 2117 Bellefontaine St.
5. W. A. Bradshaw, 2115 Bellefontaine St.
6. J. B. Ikey, 2205 Bellefontaine St.
7. P. S. Wade, 2113 Bellefontaine St.
8. A. M. Calley, 2203 Bellefontaine St.
9. Mrs. C. Highland, 2211 Bellefontaine St.
10. Edward B. Smith, 2216 Bellefontaine St.
11. Wm. Giezendanner, 2112 Bellefontaine St.
12. Ed. R. Wood, 2107 Bellefontaine St.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Wynne:

G. O. No 72, 1901. An ordinance to amend Section 3 of an ordinance entitled: "An ordinance prescribing general regulations for the public markets of the City of Indianapolis, Indiana, prescribing and defining the general powers, functions and duties of the City Market Master, and concerning matters connected with the City Market; repealing certain ordinances, and repealing all ordinances and parts of ordinances in conflict therewith; providing penalties for violation thereof; providing for publication and fixing the time when the same shall take effect," approved March 12, 1894.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section 3 of an ordinance entitled "An ordinance prescribing the general regulations for the public markets of the City of Indianapolis, Indiana, prescribing and defining the general powers, functions and duties of the City Market Master, and concerning matters connected with the City Market; repealing certain ordinances, and repealing all ordinances and parts of ordinances in conflict therewith; providing penalties for violation thereof; providing for publication and fixing the time when the same shall take effect", approved March 12, 1894, be amended so as to read as follows:

Section 3. Curbstone Stands—Along the outer edge of the sidewalk bordering upon the grounds used for city markets, only and along the outer edges of the sidewalk along the street, designated in this ordinance, the Market Master may permit the placing of temporary tables of not more than six feet in length and three feet in width, to be brought there and used by dealers in fruits, farm and garden products, butter, eggs, poultry and provisions generally, except fish; and said Market Master shall assign and station a place for the wagon or other vehicle used in bringing such articles on the street immediately on the line of such curbstone stands.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Public Property and Improvement.

MISCELLANEOUS BUSINESS.

City Clerk Elliott submitted the following communication:

LEAGUE OF AMERICAN MUNICIPALITIES,
Office of the Secretary, Observatory Building,
DES MOINES, IOWA, November 4, 1901.

To the Honorable City Council, Indianapolis, Indiana:

Gentlemen—On June 17, 1898, your city became a member of the League of American Municipalities, agreeing to pay annual dues in the amount of \$50 for the maintenance of the League. The last payment of dues was made February 21, 1900, for the year ending June 17, 1900. Since that time nothing has been paid, nor has any answer been made to requests for settlement of delinquencies.

Basing its income upon its membership, certain obligations have been incurred by the League, all of which could be met if the delinquent members would pay what is properly due the League. We attach a statement of the amount due from your city, and trust you will promptly meet the obligation.

We have just received from the press the proceedings of the fifth annual convention, a copy of which has been mailed to your City Clerk. Upon request we will forward a sufficient number of copies to supply all officials and heads of departments.

Hoping for a prompt consideration of this matter, I am

Very respectfully,

JOHN MAC VICAR,
Secretary.

DES MOINES, IOWA, October 26, 1901.

City of Indianapolis, Ind. Dr. to League of American Municipalities.

To dues year ending June 17, 1901.....	\$50.00
do 1902.....	50.00
	\$100.00

Which was read, and on motion of Mr. Crall, referred to Committee on Accounts and Claims.

ORDINANCES ON SECOND READING.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 65, 1901. An ordinance changing the name of that portion of Greenbriar Lane extending from an extension of the north property line of Bloyd avenue to Hillside avenue, and including that portion of such extension which is sometimes known as Fernway avenue, to "Bloyd avenue;" and fixing a time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 65, 1901, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 16, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes, 4, viz.: Messrs. Berry, Kelly, Meyer and Moriarity.

On motion of Mr. Crall, the following entitled ordinance was taken up and read a second time:

G. O. No. 63, 1901. An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Crall, G. O. No. 63, 1901, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes.: None.

On motion of Mr. Crall the following entitled ordinance was taken up and read a second time:

App. O. No. 17, 1901. An ordinance appropriating the sum of \$1,875.00 to and for the use of the Department of Finance for election expenses, and fixing the time when the same shall take effect.

On motion of Mr. Crall, App. O. No. 17, 1901, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

Mr. Crall moved that the following entitled ordinance be taken up and read a second time:

App. O. No. 19, 1901. An ordinance appropriating the sum of \$196,-455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when same shall take effect.

On motion of Mr. Crall, App. O. No. 19, 1901, was then ordered engrossed, read a third time, and failed to pass for want of a constitutional majority, by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Sourbier, the Common Council adjourned at 8:45 o'clock p. m.



President Pro Tem.

ATTEST:



City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, November 25, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 25, 1901, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

'City of Indianapolis,

INDIANAPOLIS, IND., November 22, 1901.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the City of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 o'clock, p. m., on November 25, 1901, in the council chamber in said city, for the purpose of introducing, considering and taking action on Appropriation Ordinance No. 21, 1901: An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and affixing the time when same shall take effect.

And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service at such special meeting.

CHARLES A. BOOKWALTER,
Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair,* and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Messrs. Holliday and Sourbier.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller :

DEPARTMENT OF FINANCE.

Office of City Comptroller,

INDIANAPOLIS, IND., November 25, 1901.

To the President and Members of the Common Council:

Gentlemen—The following issues of temporary loans, viz.: August 1, 1901, \$50,000; September 3, 1901, \$40,000; September 7, 1901, \$55,000, and October 1, 1901, \$50,000, aggregating \$195,000, and interest thereon, amounting to \$1,455.38, will be due and payable on December 2, 1901.

I recommend that an ordinance be passed, without delay, appropriating the sum of \$196,455.38 in order that said temporary loans and the interest thereon can be paid when due.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and on motion of Mr. Crall, referred to Committee on Finance.

APPROPRIATION ORDINANCES.

By City Comptroller (through Mr. Wynne):

App. O. No. 21, 1901. An ordinance appropriating the sum of \$196,455.38 for the purpose of paying temporary loans, and interest thereon, due December 2, 1901, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated to and for the Department of Finance the sum of one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, viz:

Temporary Loans issued August 1, 1901.....	\$50,000.00
Interest thereon at 3½ per cent.	526.54
Temporary Loans issued September 3, 1901.....	40,000.00
Interest thereon at 3 per cent.	295.89
Temporary Loans issued September 7, 1901.....	55,000.00
Interest thereon at 3 per cent.	388.77
Temporary Loans issued October 1, 1901.....	50,000.00
Interest thereon at 2½ per cent.	244.18

Total temporary loans and interest.....\$196,455.38

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Moriarity:

App. O. No. 22, 1901. An ordinance appropriating the sum of one hundred ninety-six thousand four hundred fifty-five dollars and thirty-eight (\$196,455.38) cents, out of the funds now in the City Treasury, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated to and for the use of the Department of Finance, out of the funds derived from current revenues of the said City of Indianapolis, and now in the City Treasury, the sum of one hundred ninety-six thousand four hundred fifty-five dollars and thirty-eight (\$196,455.38) cents, no part of which shall be obtained or derived from moneys received from the sale of any bonds of said city, said money to be used for the purpose of paying the temporary loans of said city, and interest thereon, due December 2, 1901, and which loans were made in anticipation of the revenues of said city for the current year, namely:

Temporary Loans issued August 1, 1901.....	\$50,000.00
Interest thereon at 3½ per cent.	526.54
Temporary Loans issued September 3, 1901.....	40,000.00
Interest thereon at 3 per cent.	295.89
Temporary Loans issued September 7, 1901.....	55,000.00
Interest thereon at 3 per cent.	388.77
Temporary Loans issued October 1, 1901.....	50,000.00
Interest thereon at 2½ per cent.	244.18

Total temporary loans and interest.....\$196,455.38

The money hereby appropriated shall only be available for use on December 2, 1901, and not after that date; and if not used for the purpose herein designated, upon said date, the same shall revert back into the General Fund in the Treasury of the said City of Indianapolis.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

On motion of Mr. Negley, the Common Council adjourned at 7:40 o'clock p. m.

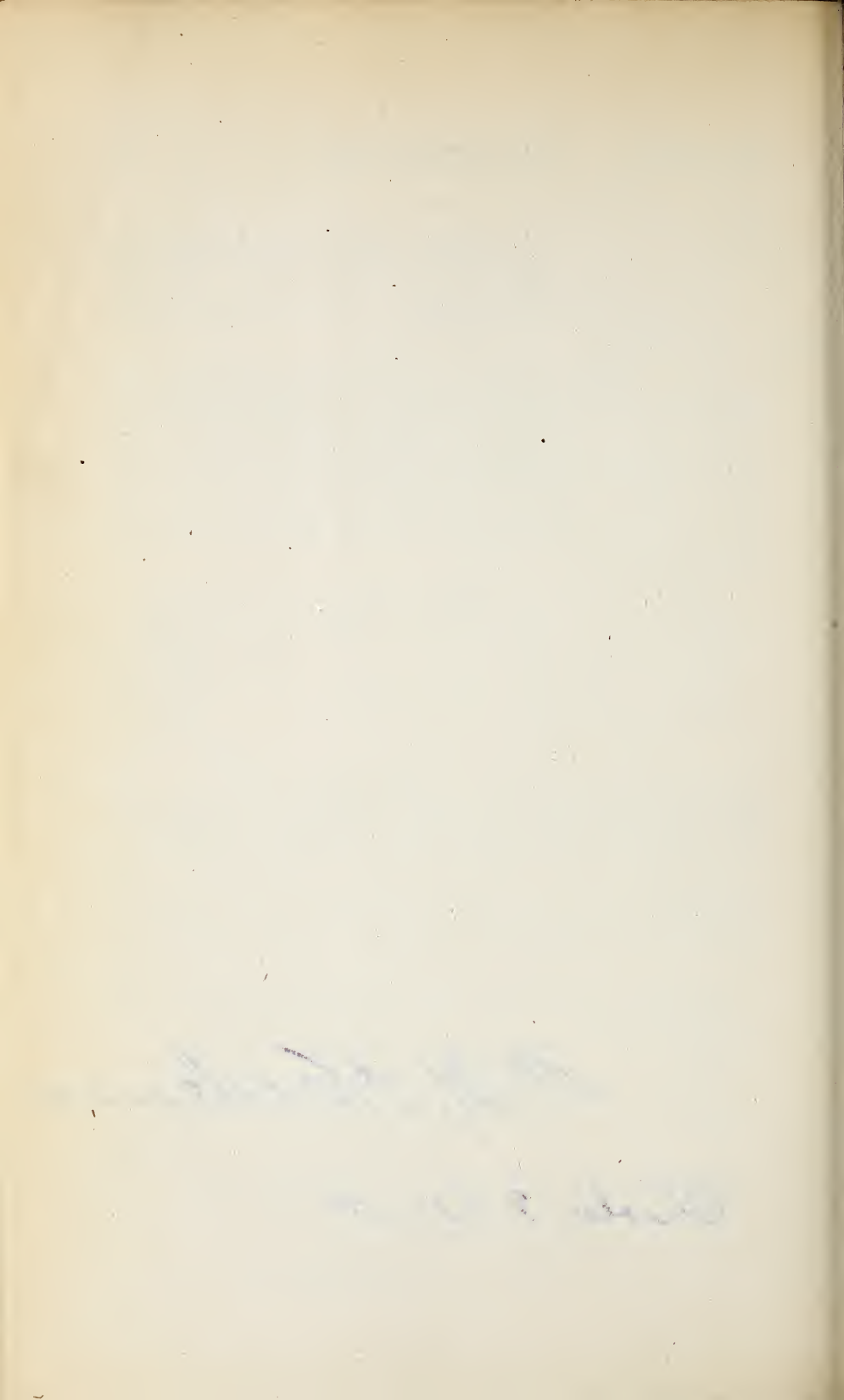
A. M. Alderman

President

ATTEST:

Charles N. Elliott

City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

SATURDAY, November 30, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Saturday evening, November 30, 1901, at 7:30 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, IND., November 25, 1901.

To the City Clerk, President and Members of the Common Council:

Gentlemen—Pursuant to the rules of the Common Council providing that special meetings may be called by written request of five members, the undersigned members of said Common Council, by virtue of the authority vested in them, as such, hereby notify you, that a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 o'clock, on Saturday evening, November 30, 1901, in the Council Chamber of said city, for the purpose of acting upon, considering and passing appropriation ordinance No. 22, 1901, which is an ordinance appropriating the sum of one hundred ninety-six thousand four hundred fifty-five dollars and thirty-eight (\$196,455.38) cents, out of the funds now in the city treasury, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and fixing a time when the same shall take effect. And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service, at such special meeting.

JAMES D. MORIARITY,
JAMES E. BERRY,
GUSTAV J. T. MEYER,
JOHN WOLSIFFER,
C. H. WARWEG,
M. J. SHEA,
M. C. KELLY,
A. H. WAHL.

Members of the Common Council of the City of Indianapolis, Indiana.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 18 members, viz.: Messrs.

Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer and Wynne.

Absent, 2, viz.: Messrs. Holliday and Wysong.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 22, 1901:

App. O. No. 22, 1901. An ordinance appropriating the sum of one hundred ninety-six thousand four hundred fifty-five dollars and thirty-eight (\$196,455.38) cents, out of the funds now in the City Treasury, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND, November 30, 1901.

To the President and Members of the Common Council:

Gentlemen—We, your Finance Committee, have had Appropriation Ordinance No. 22, 1901, under consideration, and recommend that same do pass.

T. A. WYNNE, Chairman,
JNO. H. CRALL,
W. A. RHODES,
FRED W. EPPERT,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read and on motion of Mr. Berry, concurred in.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne the following entitled ordinance was taken up and read a second time:

App. O. No. 22, 1901. An ordinance appropriating the sum of one hundred ninety-six thousand four hundred fifty-five dollars and thirty-eight (\$196,455.38) cents, out of the funds now in the City Treasury, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and fixing a time when the same shall take effect.

On motion of Mr. Crall, App. O. No. 22, 1901, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne and President Haldeman.

Noes, 1, viz.: Mr. Wheeler.

On motion of Mr. Rhodes the Common Council at 8 o'clock, p. m., adjourned.

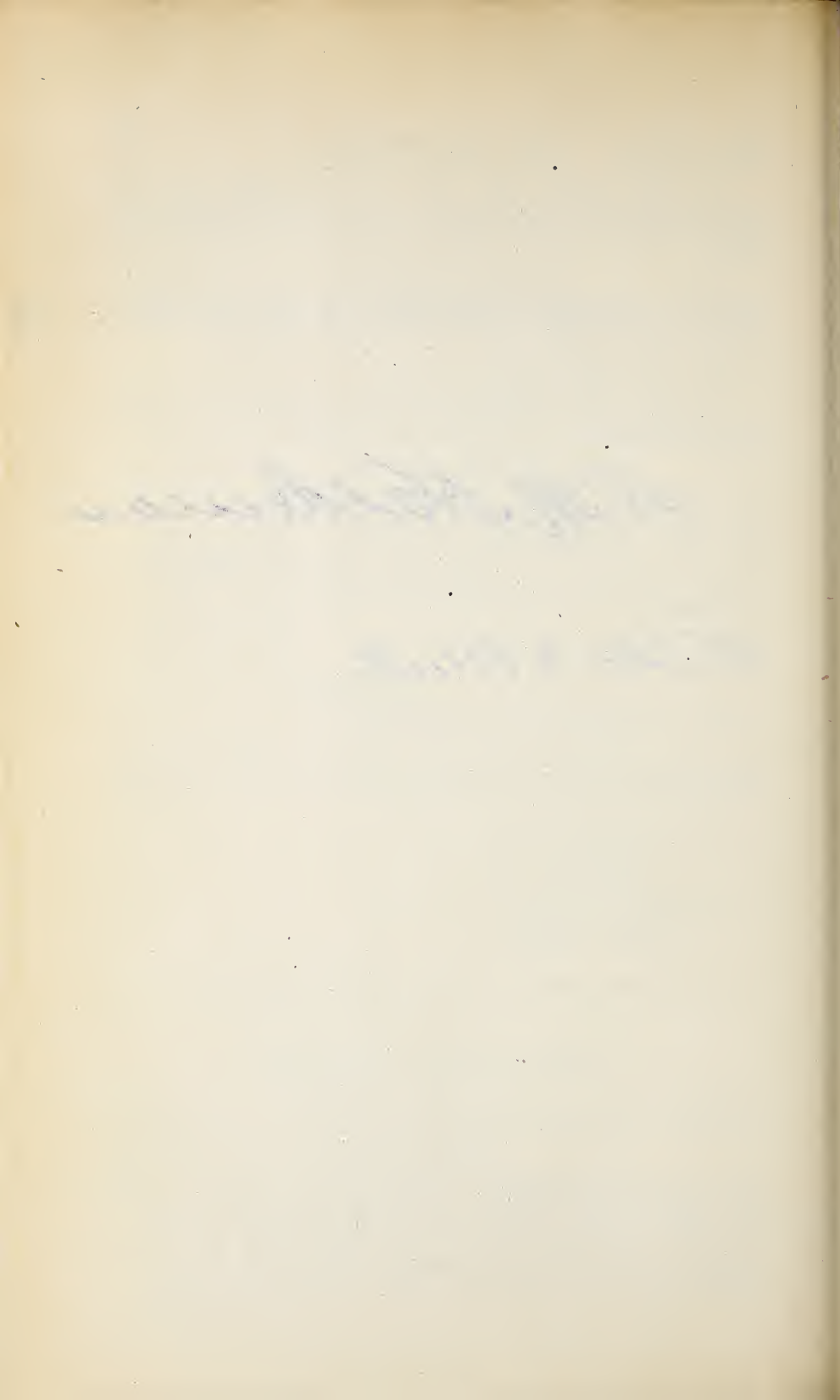
A. M. Haldeman

.....
President.

ATTEST:

Charles A. Elliott

.....
City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
SATURDAY, November 30, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Saturday evening, November 30, 1901, at 8 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, IND., November 26, 1901.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 8 o'clock p. m. on November 30, 1901, in the Council Chamber of said city, for the purpose of considering, taking action on and passing Appropriation Ordinance No. 21, 1901,—an ordinance appropriating the sum of \$196,455.38, for the purpose of paying temporary loans and interest thereon, due December 2, 1901, and fixing the time when same shall take effect.

And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service at said special meeting.

CHARLES A. BOOKWALTER,
Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 8 members, viz.: Messrs. Berry, Billingsley, Kelly, Moriarity, Negley, Shea, Sourbier and Wolf-siffer.

Absent, 12, viz.: Messrs. Cooper, Crall, Eppert, Holliday, Meyer, McFarland, Rhodes, Wahl, Warweg, Wheeler, Wynne and Wysong.

There being no quorum present, on motion the Common Council then adjourned.

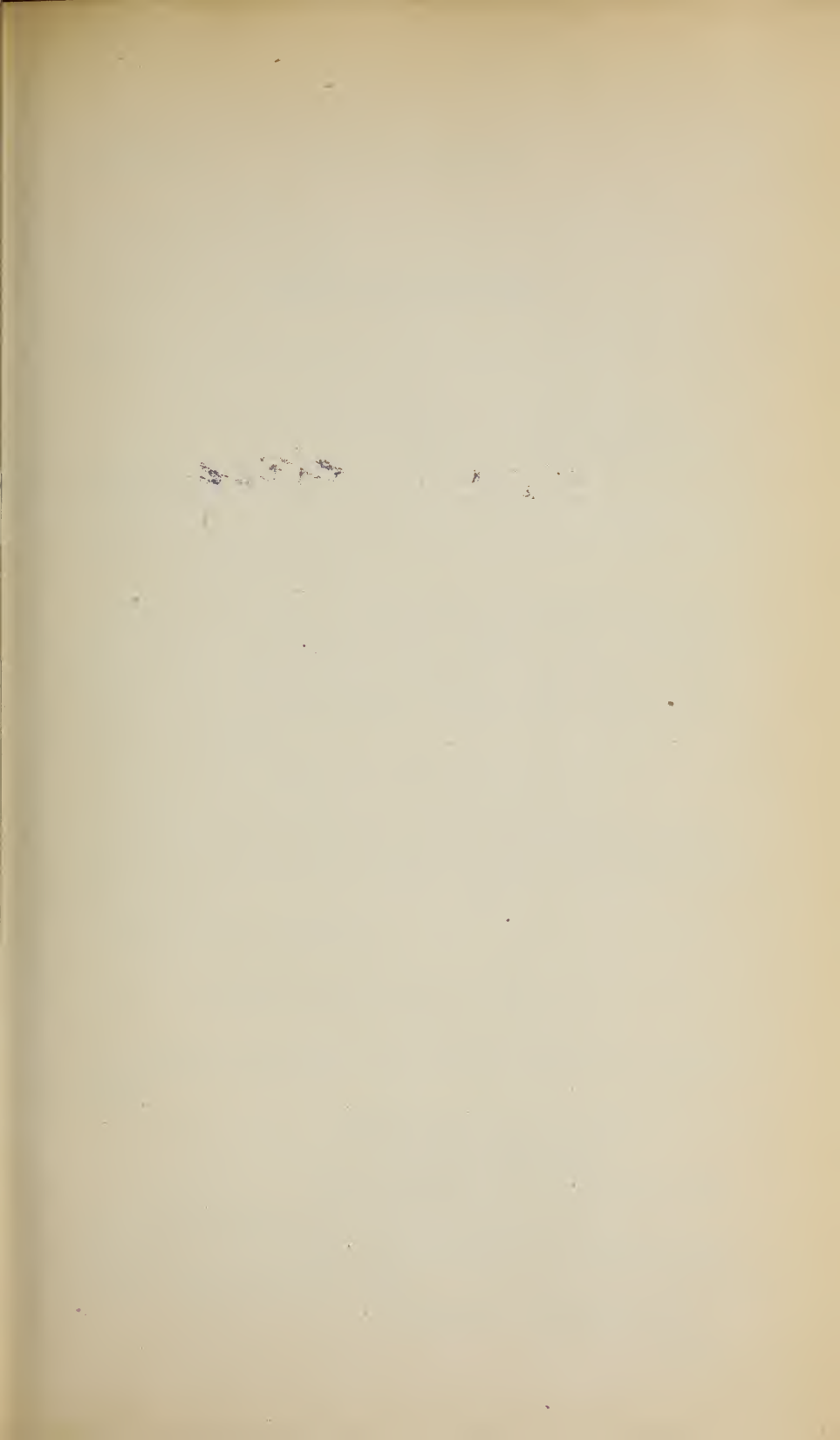
H. M. Haldeman

President.

Attest:

Charles H. Elliott

City Clerk.





REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, December 2, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 2, 1901, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent 2, viz.: Messrs. Eppert and Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, IND., November 6, 1901.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance: App. O. No. 16, 1901, being an ordinance appropriating the sum of \$500 to the miscellaneous expense of city officers, and passed by Common Council, November 4, 1901.

CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, IND., November 20, 1901.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 17, 1901: An ordinance appropriating the sum of \$1,875 to and for the use of the Department of Finance; for election expenses and fixing the time when the same shall take effect.

G. O. No. 65, 1901: An ordinance changing the name of that portion of Greenbriar Lane extending from an extension of the north property line of Bloyd avenue to Hillside avenue, and including that portion of such extension which is sometimes known as Fernway avenue to Bloyd avenue; and fixing a time when the same shall take effect.

G. O. No. 63, 1901: An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis; and fixing a time when the same shall take effect.

CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, IND., December 2, 1901.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance:

App. O. No. 22, 1901: An ordinance appropriating the sum of one hundred and ninety-six thousand four hundred and fifty-five dollars and thirty-eight cents (\$196,455.38) out of the funds now in the city treasury, for the purpose of paying temporary loans and interest thereon, due December 2, 1901; and fixing a time when the same shall take effect.

CHARLES A. BOOKWALTER,
Mayor.

Which were read and, on motion of Mr. Crall, ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communications from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, IND., December 2, 1901.

To the President and Members of the Common Council:

Gentlemen—I beg leave to report that under and pursuant to the provisions of App. O. No. 22, 1901, I have this day paid temporary loans as follows:

Security Trust Company, principal and interest.....	\$50,526.54
Indiana National Bank, principal and interest.....	55,388.77
J. F. Wild & Co., principal and interest.....	90,540.07
Total	<u>\$196,455.38</u>

Respectfully submitted,
 GEO. T. BREUNIG,
 City Comptroller.

Which was read and, on motion of Mr. Rhodes, spread on the minutes.

DEPARTMENT OF FINANCE,
 Office of City Comptroller,
 INDIANAPOLIS, IND., December 2, 1901.

To the President and Members of the Common Council:

Gentlemen—On March 1, 1901, the city issued one hundred and forty-three (143) bonds at \$1,000 each, bearing interest at $3\frac{1}{2}$ per cent., known and designated as "Fire Department and City Hospital Bonds of 1901." Fourteen thousand dollars of the principal of these bonds mature and become payable on January 1, 1902. It will be necessary to make an appropriation to pay maturing principal, interest and exchange as follows:

Bonds No. 1 to No. 14, inclusive.....	\$14,000.00
Interest on \$143,000 from March 1 to December 31, 1901	4,171.31
Exchange on city bonds and interest.....	<u>28.17</u>
Total	<u>\$18,199.48</u>

I therefore recommend that an ordinance be passed appropriating the sum last above mentioned.

Respectfully submitted,
 GEO. T. BREUNIG,
 City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 20, 1901: An ordinance appropriating the sum of \$7,600 to and for the use of the Department of

Public Works, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 25, 1901.

Mr. President—Your Committee on Finance has had Appropriation Ordinance No. 20 under consideration, and recommend that same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES,
B. F. WYSONG,
FRED W. EPPERT,
JOHN H. CRALL,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which report was read and concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 68, 1901: An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., November 25, 1901.

Mr. President—Your Committee on Finance has had General Ordinance No. 68 under consideration, and recommend that same do pass.

T. A. WYNNE, Chairman
W. A. RHODES,
B. F. WYSONG,
FRED W. EPPERT,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which report was read and concurred in.

Mr. Crall, on behalf of Committee on Public Property and Improvement, to which was referred G. O. No. 72, 1901, asked for further time for consideration of said ordinance.

Which request was granted.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By City Comptroller (through Mr. Wynne):

App. O. No. 23, 1901: An ordinance appropriating the sum of \$18,199.48 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated to and for the use of the Department of Finance, the sum of eighteen thousand one hundred and ninety-nine dollars and forty-eight cents (\$18,199.48), to be used as follows, to wit:

For paying bonds No. 1 to 14, inclusive, of the "Fire Department and City Hospital Bonds of 1901," at \$1,000 each, due and payable in New York City, January 1, 1902, \$14,000.00.

For interest on \$143,000 "Fire Department and City Hospital Bonds of 1901" at $3\frac{1}{2}$ per cent., from March 1 to December 31, 1901, inclusive, the sum of \$4,171.31.

For exchange on maturing city bonds and interest, the sum of \$28.17.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

MISCELLANEOUS BUSINESS.

On motion of Mr. Crall, G. O. No. 67, 1901, was recommended to Committee on Finance.

Mr. Negley moved that a recess of ten minutes be taken by the Council.

Which motion carried.

Council reconvened at 8:30 o'clock.

Mr. Eppert arrived and took his seat at 8:32 o'clock.

On motion of Mr. Crall, the Council returned to the following order of business, "Reports of Finance Committee."

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 67, 1901, made the following report:

INDIANAPOLIS, IND., December 2, 1901.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom was recommended G. O. No. 67, relating to the issue and sale of one-hundred ninety-seven thousand (\$197,000) dollars of Indianapolis Funding Bonds, 1901, for further amendment, after due consideration of same beg leave to report

that said ordinance and said ordinance as amended, be further amended by substituting therefor the following:

G. O. No. 67, 1901: An ordinance authorizing the issue and sale of one hundred and ninety-five (195) bonds of one thousand dollars (\$1,000) each, of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, to replace in the general revenues and funds of said city money appropriated under and by the authority of App. O. 22, 1901, for the payment of certain temporary loans of said city, which, by their terms, are payable on the 2d day of December, 1901, aggregating one hundred and ninety-five thousand dollars (\$195,000), with accrued interest; prescribing the time and manner of advertising the sale of said bonds and of receipt of bids for the same, together with the mode and terms of sale, and matters connected therewith, and fixing the time when the same shall take effect.

Whereas, Under and by authority of App. O. No. 22, 1901, approved the 2d day of December, 1901, money has been appropriated from the general revenues and funds of said city for the repayment of said temporary loans and interest, leaving insufficient funds with which to meet and pay the current and necessary expenses of said city, and there is not now and will not be sufficient funds in the treasury of said city with which to pay the same, and it is necessary for the city of Indianapolis to borrow the sum of one hundred and ninety-five thousand dollars (\$195,000), and issue and sell its bonds in that amount, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to replace in said general revenues and funds, to use for current expenses of said city, the moneys appropriated therefrom for the payment of said temporary loans; now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the head of the Department of Finance is hereby directed and authorized, for the purpose of obtaining money to pay current expenses of said city, the obtaining of which has been made necessary by the appropriation of money to pay temporary loans of said city, to prepare and sell one hundred and ninety-five (195) new bonds of the City of Indianapolis, Marion county, Indiana, of the sum of one thousand dollars (\$1,000) each, which bonds shall bear date December 14, 1901, and shall be numbered one to one hundred and ninety-five inclusive, and shall be designated "Indianapolis Emergency Bonds of 1901," and shall bear interest at the rate of three-and-a-half ($3\frac{1}{2}$) per centum per annum, which interest shall be payable semi-annually on the first day of January and the first day of July of each year, beginning with July 1, 1902, and said installments of interest shall be evidenced by interest coupons attached to said bonds. Said bonds and interest coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Co., of Greater New York, State of New York. Said bonds shall be signed by the Mayor and City Comptroller of said city of Indianapolis, and attested by the City Clerk, who shall affix the seal of said city to each of said bonds, and said bonds shall mature as follows:

1 to	5, inclusive, July 1, 1902.....	\$ 5,000
6 to	15, inclusive, Jan. 1, 1903.....	10,000
16 to	25, inclusive, July 1, 1903.....	10,000
26 to	35, inclusive, Jan. 1, 1904.....	10,000
36 to	45, inclusive, July 1, 1904.....	10,000
46 to	55, inclusive, Jan. 1, 1905.....	10,000

56 to 65, inclusive, July 1, 1905.....	\$10,000
66 to 75, inclusive, Jan. 1, 1906.....	10,000
76 to 85, inclusive, July 1, 1906.....	10,000
86 to 95, inclusive, Jan. 1, 1907.....	10,000
96 to 105, inclusive, July 1, 1907.....	10,000
106 to 115, inclusive, Jan. 1, 1908.....	10,000
116 to 125, inclusive, July 1, 1908.....	10,000
126 to 135, inclusive, Jan. 1, 1909.....	10,000
136 to 145, inclusive, July 1, 1909.....	10,000
146 to 155, inclusive, Jan. 1, 1910.....	10,000
156 to 165, inclusive, July 1, 1910.....	10,000
166 to 175, inclusive, Jan. 1, 1911.....	10,000
176 to 185, inclusive, July 1, 1911.....	10,000
186 to 195, inclusive, Jan. 1, 1912.....	10,000
	\$195,000

With coupons attached thereto for semi-annual installments of interest at the rate of three-and-a-half ($3\frac{1}{2}$) per centum per annum, payable on January 1 and July 1 of each year, beginning with July 1, 1902, with first coupon on each bond being for interest from December 14, 1901, to July 1, 1902, and said interest coupons shall bear the lithographic facsimile of the signature of the Mayor and City Comptroller. Said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Marion county, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with No. 1, and giving the date of their issuance, their amounts, date of maturity, rate of interest, and the time and place where said interest shall be payable.

Said bonds shall be substantially in the following form, tenor and effect, all blanks for numbers and dates to be properly filled before issuance thereof:

No.... UNITED STATES OF AMERICA, \$1,000
City of Indianapolis, Marion County, State of Indiana.
INDIANAPOLIS EMERGENCY BOND OF 1901.

For value received, the City of Indianapolis, Marion county, Indiana, promises to pay to the bearer one thousand dollars (\$1,000) in lawful money of the United States of America, on the.....day of 19...., with interest thereon at the rate of three-and-a-half ($3\frac{1}{2}$) per centum per annum, payable semi-annually on the first days of January and July of each year hereafter, beginning with July 1, 1902, the first coupon carrying the interest hereon from December 14, 1901, to July 1, 1902, upon the surrender and cancellation of the proper coupons hereto attached, both principal and interest being payable at the banking house of Winslow, Lanier & Co., of Greater New York, in the State of New York.

This bond is one of a series of one hundred and ninety-five (195) bonds, numbered from 1 to 195, inclusive, each of the same date, amount, tenor and effect, and maturing as follows:

1 to 5, inclusive, July 1, 1902.....	\$ 5,000
6 to 15, inclusive, Jan. 1, 1903.....	10,000
16 to 25, inclusive, July 1, 1903.....	10,000

26 to 35, inclusive, Jan. 1, 1904.....	\$10,000
36 to 45, inclusive, July 1, 1904.....	10,000
46 to 55, inclusive, Jan. 1, 1905.....	10,000
56 to 65, inclusive, July 1, 1905.....	10,000
66 to 75, inclusive, Jan. 1, 1906.....	10,000
76 to 85, inclusive, July 1, 1906.....	10,000
86 to 95, inclusive, Jan. 1, 1907.....	10,000
96 to 105, inclusive, July 1, 1907.....	10,000
106 to 115, inclusive, Jan. 1, 1908.....	10,000
116 to 125, inclusive, July 1, 1908.....	10,000
126 to 135, inclusive, Jan. 1, 1909.....	10,000
136 to 145, inclusive, July 1, 1909.....	10,000
146 to 155, inclusive, Jan. 1, 1910.....	10,000
156 to 165, inclusive, July 1, 1910.....	10,000
166 to 175, inclusive, Jan. 1, 1911.....	10,000
176 to 185, inclusive, July 1, 1911.....	10,000
186 to 195, inclusive, Jan. 1, 1912.....	10,000

\$195,000

Which bonds have been duly issued by the City of Indianapolis in order to raise money to replace in the general revenues and funds of said city, to use for current expenses of said city, moneys appropriated from said general revenues and funds for the payment of temporary loans of said city, and which bonds have been issued pursuant to an ordinance duly and legally passed by the Common Council of said city in strict conformity with and as authorized by the act of the General Assembly of the State of Indiana entitled: "An Act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and all acts supplementary thereto and amendatory thereof, and all things and acts required by the laws of the State of Indiana and by said ordinance have happened and have been done and performed in and about the authorization, preparation, issue and complete execution of this bond; and this bond, and the indebtedness hereby evidenced and represented, are certified to be within every limit of indebtedness prescribed by the Constitution and laws of the State of Indiana.

The faith and credit of the City of Indianapolis, Marion county, Indiana, is irrevocably pledged to the payment of the principal and interest of this bond, as herein stipulated.

In Witness Whereof, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Comptroller, and the seal of said city to be affixed thereto and attested by the City Clerk, this 14th day of December, Nineteen Hundred and One.

.....
Mayor.

ATTEST:

.....
City Comptroller.

.....
City Clerk.

[Seal.]

The interest warrants or coupons attached to said bonds shall be authenticated by the signatures of the Mayor and City Comptroller of said city engraven thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for the interest on said bond from December 14, 1901, to July 1, 1902.

Sec. 2. That the head of the Department of Finance shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds, by at least one insertion each in the Indianapolis Journal and Daily Reporter, daily newspapers of general circulation, printed and published in the city of Indianapolis, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the City Comptroller shall see fit, and shall set forth the amount of the bonds to be sold, and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Comptroller to reject any or all bids, the amount of deposit the bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid or proposal shall be presented to the City Comptroller, sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of Armin C. Koehne, City Treasurer, for a sum of money which shall equal two and one-half ($2\frac{1}{2}$) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The City Comptroller shall continue to receive all bids or proposals therefor at the office of the City Comptroller until twelve o'clock, noon, on the 12th day of December, 1901, at which time and place and between said hour and two o'clock, p. m., of said day he shall open said bids or proposals. The City Comptroller shall award said bonds, or, if he shall see fit, a part or any number thereof, to the highest and best bidder therefor; but said City Comptroller shall have the full right to reject any or all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of reoffering and readvertisement of said bonds, as hereinafter provided.

Sec. 4. In case the City Comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to readvertise said bonds for sale until said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds by the Comptroller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the Comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If,

for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to said city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Comptroller as herein provided, the proceeds of said certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or at the option of the City Comptroller at the time of the completion of sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of said City of Indianapolis, Indiana, on the 14th day of December, 1901, or upon any other day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the Comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or their refusal, neglect or omission so to do shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 7. The bonds taken and paid for to the satisfaction of the City Comptroller shall be binding obligations upon said City of Indianapolis, according to their tenor and effect.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

And that when so amended it pass.

Respectfully submitted,

T. A. WYNNE,
W. A. RHODES,
JNO. H. CRALL,
B. F. WYSONG,
J. D. MORIARITY,
JAMES E. BERRY.

Which was read and, on motion of Mr. Wynne, concurred in.

ORDINANCES ON SECOND READING.

Mr. Wynne moved that G. O. No. 67, 1901, be taken up and read a second time.

Which motion carried.

On motion of Mr. Wynne, G. O. No. 67, 1901, was then ordered engrossed, as amended by committee report, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, none.

Mr. Crall moved that the vote by which G. O. No. 67, 1901, was passed, be reconsidered.

On motion of Mr. Negley, Mr. Crall's motion was laid on the table.

On motion of Mr. Wynne the following entitled ordinance was taken up and read a second time:

App. O. No. 20, 1901: An ordinance appropriating the sum of \$7,600 to and for the use of the Department of Public Works, and fixing the time when the same shall take effect.

On motion of Mr. Crall, App. O. No. 20, 1901, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, 1, viz.: Mr. Meyer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 68, 1901: An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Works of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 68, 1901, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, none.

On motion of Mr. Crall, the Council returned to the following order of business, "Introduction of General and Special Ordinances."

Under this order of business the following ordinance was introduced:

By Mr. Berry:

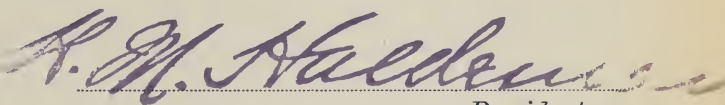
G. O. No. 73, 1901. An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the east boundary line of said City of Indianapolis from a point where the same intersects the north line of the right of way of the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, be and the same is hereby extended so as to include the following described territory contiguous to said City of Indianapolis, Indiana, whether platted or not, which said following described contiguous territory is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, Marion county, Indiana, said territory to be annexed being described as follows: All that territory bounded as follows: Commencing at the present city limits where the east boundary line of said city intersects the north line of the right of way of the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Company, thence south to the south line of the right of way of the Cincinnati, Hamilton & Dayton, and Cincinnati, Hamilton & Indianapolis Railroad Companies, thence eastwardly along the south line of said last-named right of way to the present west boundary line of the incorporated town of Irvington, Marion county, Indiana; thence following said west boundary line of said town of Irvington to the southwest corner of said town of Irvington; thence along the south boundary line of said incorporated town of Irvington, Marion county, Indiana, to the southeast corner of said town of Irvington; thence following the east boundary line of said town of Irvington to the northeast corner of said town of Irvington, thence along the north boundary line of said incorporated town of Irvington, Marion county, Indiana, to the west line of the highway known in said town of Irvington as Emerson avenue; thence north along the west line of said last-named highway till the same intersects the south line of the highway known in said City of Indianapolis, Marion county, Indiana, as Michigan street; thence west along the south line of said Michigan street to the east boundary line of said city of Indianapolis; thence along said east boundary line of said City of Indianapolis to the place of beginning. All of which said contiguous territory shall hereafter form a part of the said City of Indianapolis, Marion county, Indiana, and be within the jurisdiction of the same, and said territory is hereby consolidated with and made a part of said City of Indianapolis, Marion county, Indiana.

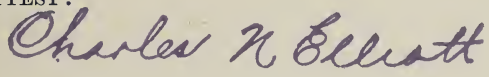
Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the.....
..... a daily newspaper of general circulation, printed and published in said City of Indianapolis, Marion county, Indiana.

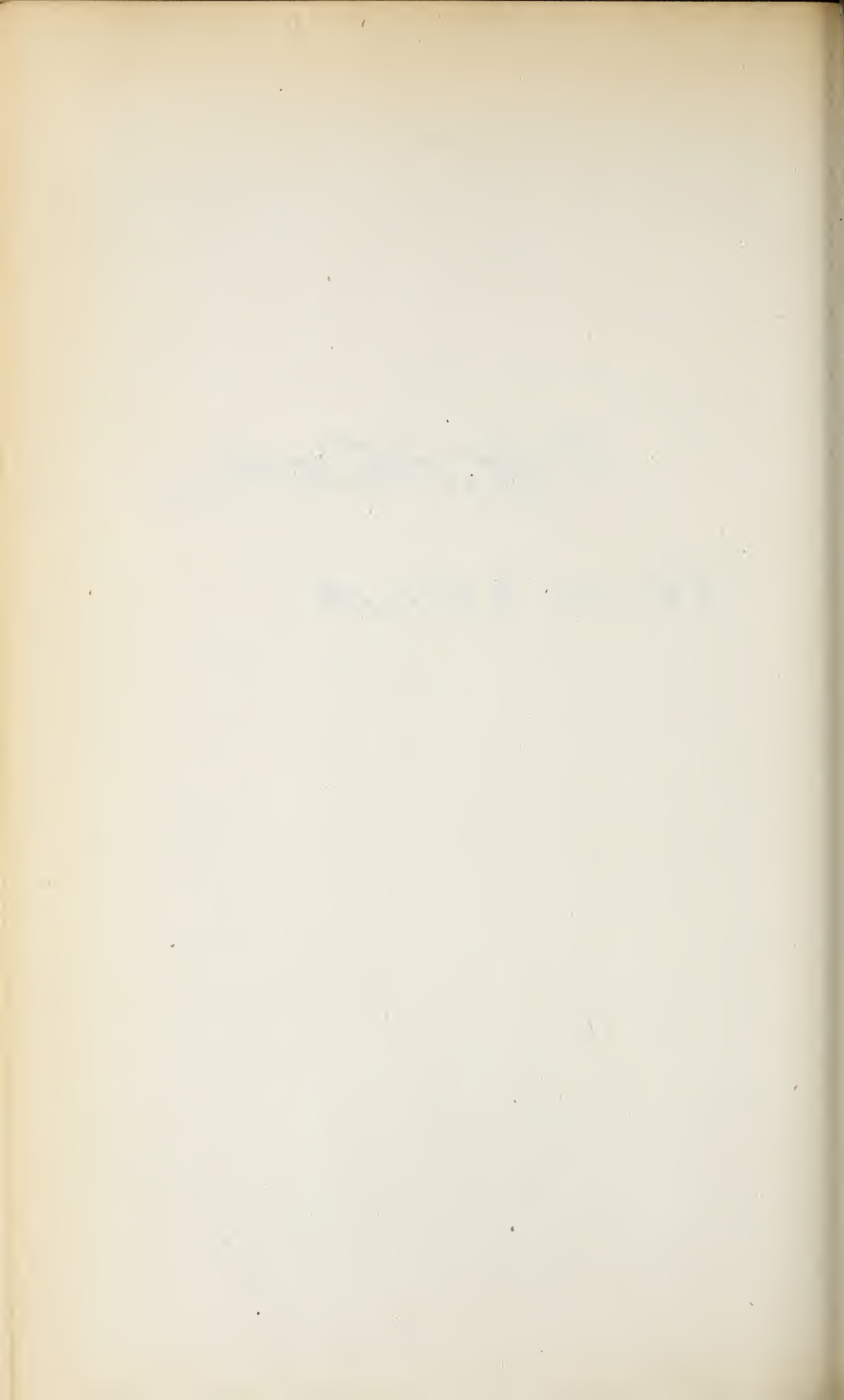
Which was read a first time and referred to Committee on Ordinances.

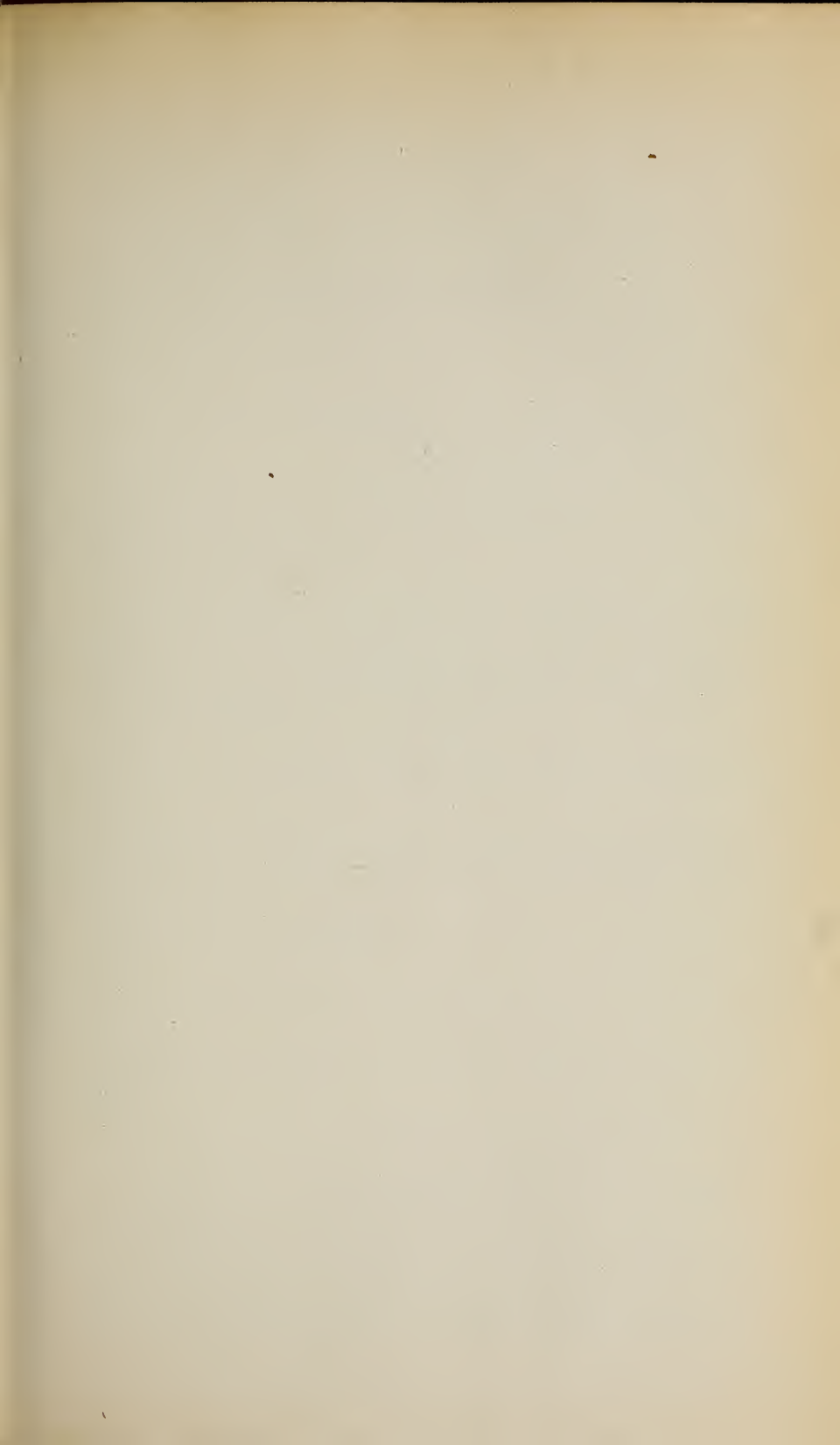
On motion of Mr. Wahl, the Common Council at 8:50 o'clock, p. m., adjourned.


.....
President.

ATTEST:


.....
City Clerk.





REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, December 16, 1901.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 16, 1901, at 8:00 o'clock, in regular meeting.

Present, Honorable Wm. A. Rhodes, Vice-President of the Common Council, and 17 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. Kelly, Wheeler and President Halde-
man.

The Clerk proceeded to read the Journal, whereupon Councilman Billingsley moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, IND., December 3, 1901.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances: App. O. No. 26, appropriating the sum of \$7,600 to and for the use of the Department of Public Works.

Gen. O. No. 68, 1901: An ordinance transferring \$2,000 heretofore appropriated for "sprinkling unimproved streets" for 1901 to "sweeping and cleaning improved streets."

Gen. O. No. 67, 1901: An ordinance authorizing the issue and sale of 195 funding bonds of \$1,000 each, of the city of Indianapolis, Indiana.

Respectfully,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

CITY OF INDIANAPOLIS,

Finance Department,

INDIANAPOLIS, IND., December 16, 1901.

To the President and Members of the Common Council:

Gentlemen—I herewith send you the official bond of Armin C. Koehne, City Treasurer, elect, and recommend its approval by your honorable body.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

City Treasurer Koehne submitted the following bond, which was read and referred to Committee on Finance:

KNOW ALL MEN BY THESE PRESENTS, That we, Armin C. Koehne, as principal, and Wm. Schoppenhorst, Fred'k J. Meyer, John E. Christian, Conrad Limbach, Anthony Harmon, Henry C. Adams, John H. Furnas, Wm. Wiegel, Charles H. Stuckmeyer, A. Hagen, August Wacker, C. F. H. Waterman, Th. Sander, E. W. Tompkins, H. L. Sielken, Kasper Hess, Jos. B. Kealing, W. O. Patterson, Anton Wiese, Wm. J. Schleicher, John H. Holtzman, Henry W. Lawrence, Henry R. Martin, Henry Stolte and Sterling R. Holt, as sureties, are held and firmly bound unto the State of Indiana, for the use and benefit of the city of Indianapolis, Marion county, Indiana, in the penal sum of six hundred thousand dollars (\$600,000), to the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 16th day of December, 1901.

The condition of the above obligation is as follows:

Whereas, The above named and bounden Armin C. Koehne was, at the general election, held within and for the county of Marion and State of Indiana, on the first Tuesday after the first Monday in November, in the year 1900, duly elected as the County Treasurer of the said county of Marion, for two years from the first day of January, 1902, and until his successor should be elected and qualified; and

Whereas, By virtue of an act of the Legislature, entitled "An act concerning taxation for city and school purposes in cities containing a population of over 70,000, as shown by the last census of the United States, to abolish the offices of City Assessor and City Treasurer in said cities, and provide for the discharge of the duties of said offices, and repealing all laws in conflict therewith, approved February 21st, 1885;" and also by virtue of an act of the Legislature entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United

States census and matters connected therewith, and declaring an emergency," approved March 6, 1891, said Armin C. Koehne, as such County Treasurer, shall collect, disburse and account for municipal taxes for the city of Indianapolis, and discharge certain other duties heretofore discharged by the Treasurer of said City.

Now, if the said Armin C. Koehne shall pay over all moneys which, by virtue of said laws and the ordinances of said city, may come into his hands for municipal purposes and so honestly and faithfully discharge all the duties of his office so far as they relate to or affect said city, and shall safely keep and properly account for and pay over to the proper persons or authority all moneys or property of the said city, other than moneys collected for school purposes of the said city, and snall well and truly discharge all the duties of his office according to law, then the above obligation ceases and becomes null and void; otherwise to remain in full force and effect in law.

IT IS UNDERSTOOD, That the above obligation shall not be impaired, nor the said Armin C. Koehne nor his sureties thereon be in any manner released from this obligation by any modification, change or repeal of the Legislature of the State of Indiana, during the continuance of the said Armin C. Koehne as Treasurer.

Armin C. Koehne	(SEAL)	Th. Sander	(SEAL)
Wm. Schoppenhorst	(SEAL)	E. W. Tompkins,	(SEAL)
Fred'k J. Meyer	(SEAL)	H. L. Sielken	(SEAL)
John E. Christian	(SEAL)	Kasper Hess	(SEAL)
Conrad Limbach	(SEAL)	Jos. B. Kealing	(SEAL)
Anthony Harmon	(SEAL)	W. O. Patterson	(SEAL)
Henry C. Adams	(SEAL)	Anton Wiese	(SEAL)
John H. Furnas	(SEAL)	Wm. J. Schleicher	(SEAL)
Wm. Wiegel	(SEAL)	John W. Holtzman	(SEAL)
Chas. H. Stuckmeyer	(SEAL)	Henry W. Lawrence	(SEAL)
A. Hagen	(SEAL)	Henry R. Martin	(SEAL)
August Wacker	(SEAL)	Henry Stolte	(SEAL)
C. F. H. Waterman	(SEAL)	Sterling R. Holt	(SEAL)

State of Indiana, County of Marion, ss:

Before me, the undersigned, a Notary Public in and for said county and State, this 16th day of December, 1901, personally appeared Armin C. Koenne, as principal, and Wm. Schoppenhorst, Fred'k J. Meyer, John E. Christian, Conrad Limbach, Anthony Harmon, Henry C. Adams, John H. Furnas, Wm. Wiegel, Charles H. Stuckmeyer, A. Hagen, August Wacker, C. F. H. Waterman, Th. Sander, E. W. Tompkins, H. L. Sielken, Kasper Hess, Jos. B. Kealing, W. O. Patterson, Anton Wiese, Wm. J. Schleicher, John H. Holtzman, Henry W. Lawrence, Henry R. Martin, Henry Stolte and Sterling R. Holt, as sureties, and acknowledged the execution of the foregoing bond.

Witness my hand and notarial seal, this 16th day of December, 1901.

JOHN J. APPEL,
Notary Public.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 23, 1901, an ordinance appropriating the sum of \$18,199.48 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., December 13, 1901.

Mr. President—Your Committee on Finance has had Appropriation Ordinance No. 23 under consideration, and recommends that same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES,
B. F. WYSONG,
FRED W. EPPERT,
JOHN H. CRALL,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which report was read and concurred in.

Mr. Shea called for a report from Committee on Railroads, on G. O. No. 62, 1901.

Mr. Cooper, Chairman of Committee on Railroads, asked for additional time for consideration of G. O. No. 62, 1901.

On motion of Mr. Billingsley, the Committee on Railroads was granted two weeks further time for consideration of G. O. No. 62, 1901.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 66, 1901: An ordinance to provide a name for the first alley west of California street, and running south from St. Clair street to Indiana avenue, and providing that the same shall henceforth be known as "Utica street;" and fixing a time when said ordinance shall take effect.

Made the following report:

INDIANAPOLIS, IND., December 16, 1901.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, have had G. O. No. 66, 1901, under consideration, and recommend that same be amended by striking out the words "St. Clair street" and by inserting in lieu thereof the words "Tenth street," and when so amended that ordinance do pass.

J. S. HOLLIDAY,
T. A. WYNNE,
FRED W. EPPERT,
ANDREW H. WAHL,
W. A. RHODES.

Which was read and concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 72, 1901, asked for two weeks further time in which to consider said ordinance.

Which was granted.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Crall:

General Ordinance No. 74, 1901: An ordinance to amend Section two (2) of an ordinance entitled "An ordinance authorizing the employment of certain clerks, assistants and employes, and providing for the compensation of certain officers, heads of departments, clerks and employes, fixing the compensation, salary and wages of certain officers, clerks and employes of the city of Indianapolis, Indiana, repealing all conflicting ordinances and fixing the time when this ordinance shall take effect," the same being General Ordinance No. 79, 1893, passed by the Common Council of the city of Indianapolis, January 15, 1894, and in force January 18, 1894, repealing conflicting ordinances and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that Section two (2) of General Ordinance No. 79, 1893, passed by the Common Council of said city January 15, 1894, in force January 18, 1894, the same being "An ordinance authorizing the employment of certain clerks, assistants and employes and providing for the compensation of certain officers, heads of departments, clerks and employes, fixing the compensation, salary and wages of certain officers, clerks and employes of the city of Indianapolis, Indiana, repealing all conflicting ordinances and fixing the time when this ordinance shall take effect," be and the same is hereby amended to read as follows:

Section 2. For elective officers, their clerks and assistants: The Mayor of the said city shall receive a salary at the rate of four thousand (\$4,000) dollars per annum; the City Clerk shall receive a salary at the rate of three thousand (\$3,000) dollars per annum; the Police Judge shall receive a salary at the rate of two thousand (\$2,000) dollars per annum; each member of the Common Council shall receive a salary at the rate of one hundred and fifty (\$150) dollars per annum.

It appearing to the satisfaction of the Common Council of the city of Indianapolis, Indiana, that it is necessary that the City Clerk should have a deputy, said City Clerk is hereby authorized to employ a Deputy City Clerk, and said Deputy City Clerk shall receive a salary at the rate of twelve hundred (\$1,200) dollars per annum.

The Mayor is hereby authorized to employ an assistant, who shall receive a salary at the rate of twelve hundred (\$1,200) dollars per annum.

Sec. 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 3. This ordinance shall be in full force and effect from and after its passage.

By Mr. Eppert:

Special Ordinance No. 4, 1901: An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, that the boundary line of said city of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory contiguous to said city of Indianapolis, Indiana, whether platted or not, which said following described contiguous territory is hereby annexed to and made a part of the territory constituting and forming the city of Indianapolis, Marion county, Indiana, and territory to be annexed, being described as follows: All that territory bounded as follows: Commencing at the present corporation line of the city of Indianapolis, Marion county, Indiana, at the intersection of the center lines of Senate avenue north and Thirty-eighth street; thence north in the center line of Senate avenue to a point where the center line of Thirty-ninth street extended west would intersect; thence east with said line and the center line of Thirty-ninth street to the center line of North Illinois street; thence south with the center line of North Illinois street to the point 257 feet north of the north line of the north line of Thirty-eighth street, which is the north line of lots 1 and 20 in Martindale & Company's Addition; thence east on said north lines of lots 1 and 20 in Martindale & Company's Addition and the north lines of lots 98, 71, 42 and 15 in Washington Park to the center line of Central avenue; thence north on the center line of Central avenue to the center line of Thirty-ninth street; thence east with the center line of Thirty-ninth street to the center line of Hammond avenue or College avenue; thence south with the center line of Hammond avenue or College avenue to the south bank of Fall Creek, the present corporation line of the city of Indianapolis, Marion county, Indiana. All of this said contiguous territory shall hereafter form a part of the said city of Indianapolis, Marion county, Indiana, and be within the jurisdiction of the same. And said territory is hereby consolidated with and made a part of said city of Indianapolis, Marion county, Indiana.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Daily Reporter, a daily newspaper of general circulation, printed and published in said city of Indianapolis, Marion county, Indiana.

MISCELLANEOUS BUSINESS.

Under this order of business the following resolution was introduced:

Resolution No. 12, 1901:

Resolved, That it is the wish of the Common Council that no street cars or heavy vehicles be allowed to cross the bridge across White River at Washington street, until it has been examined by experts and pronounced safe for such travel.

Mr. Billingsley moved that resolution be adopted.

Mr. Wahl moved, as a substitute for that motion, that the resolution be referred to the Committee on Public Safety and Comfort.

Mr. Billingsley moved to lay Mr. Wahl's motion on the table.

Which motion was lost.

Whereupon Mr. Wahl's motion was carried, and the President referred the resolution to Committee on Public Safety and Comfort.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 23, 1901: An ordinance appropriating the sum of \$18,199.48 for the use of the Department of Finance, and fixing the time when the same shall take effect.

President Haldeman arrived at 8:40 o'clock, and took his seat.

On motion of Mr. Crall, App. O. No. 23, 1901, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, none.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 66, 1901: An ordinance to provide a name for the first alley west of California street, and running south from St. Clair street to Indiana avenue, and providing that the same shall henceforth be known as "Utica street:" and fixing a time when said ordinance shall take effect.

On motion of Mr. Negley, G. O. No. 66, 1901, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sour-

bier, Wahl, Warweg, Wolsiffer, Wynne, Wysong and President Halde-
man.

Noes, none.

On motion of Mr. Moriarity, the Common Council at 8:50
o'clock, p. m., adjourned.

A. M. Halderman

.....
President.

Attest:

Charles H. Elliott

.....
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, January 6, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 6, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent 2, viz.: Messrs. Crall and Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Moriarity moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller,

INDIANAPOLIS, IND., January 6, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith present a communication from the Department of Public Parks asking for the transfer of the sum of \$4,020 from the unexpended appropriations of the following funds to the "Garfield Improvements" account:

From "Garfield Maintenance" account.....	\$2,950.00
From "Fletcher and 11th Maintenance" account.....	870.00
From "Office" account.....	200.00
	\$4,020.00

I recommend that an ordinance be passed making the transfer requested.

Respectfully submitted,

GEO. T. BREUNIG,

City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communications from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, IND., January 6, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith General Ordinance No. 7, 1902, ratifying a contract entered into this day by and between Burnet & Lewis and the city of Indianapolis, by its Board of Public Works, granting permission for the construction and maintenance of a side-track or switch across Van Buren street, for your consideration and action.

Respectfully submitted,
HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Work.

Which was read and referred to Committee on Railroads.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, IND., January 6, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith General Ordinance 8, 1902, ratifying a contract entered into this day by and between Indianapolis Hominy Mills, by Hervey Bates, President, and the City of Indianapolis, by its Board of Public Works, granting permission for the construction and maintenance of a sidetrack or switch across Madison avenue, for your consideration and action.

Respectfully submitted,
HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Park Commissioners:

PARK COMMISSIONERS,
Office of the Board,
INDIANAPOLIS, IND., January 3, 1902.

To the Honorable City Comptroller:

Dear Sir—In order that this Board may have the shelter-house in Garfield Park, which is now under contract and partly completed, finished for use this season, we have to ask that an ordinance be prepared and presented to the City Council at its next meeting authorizing the transfer of the following funds:

From Garfield Maintenance to Garfield Improvements. .	\$2,950.00
From Fletcher and Eleventh, Maintenance to Garfield Improvements	870.00
From Office to Garfield Improvements.....	200.00
	\$4,020.00

Very respectfully,

CHARLES E. COFFIN,
M. A. DOWNING,
ISAAC KING,
GEORGE MERRITT,

Board of Park Commissioners.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Billingsley, on behalf of Committee on Fees and Salaries, to which was referred G. O. No. 74, 1901, An ordinance to amend Section two (2) of an ordinance entitled "An ordinance authorizing the employment of certain clerks, assistants and employes, and providing for the compensation of certain officers, heads of departments, clerks and employes, fixing the compensation, salary and wages of certain officers, clerks and employes of the city of Indianapolis, Ind., repealing all conflicting ordinances and fixing the time when this ordinance shall take effect," the same being General Ordinance No. 79, 1893, passed by the Common Council of the city of Indianapolis, January 15, 1894, and in force January 18, 1894, repealing conflicting ordinances and fixing a time when the same shall take effect.

Made the following report:

To the President and Members of the Common Council:

Gentlemen—Your Committee having under consideration G. O. No. 74, 1901, recommend that same do pass when amended as follows: Beginning with the fifth line of Section 2, amend to read: "The Police Judge shall receive a salary at the rate of two thousand five hundred (\$2,500) dollars per annum. Each member of the Common Council shall receive a salary at the rate of one hundred and fifty (\$150) dollars per annum."

It appearing to the satisfaction of the Common Council of the City of Indianapolis, Indiana, that it is necessary that the City Clerk should have a deputy, said City Clerk is hereby authorized to employ a Deputy City Clerk, and said Deputy City Clerk shall receive a salary at the rate of twelve hundred dollars (\$1,200) per annum. The Mayor is

hereby authorized to employ an assistant who shall receive a salary at the rate of twelve hundred (\$1,200) dollars per annum.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

J. H. BILLINGSLEY,
C. H. WARWEG,
W. A. RHODES.

Which was read and concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred the City Treasurer's bond, made the following report:

INDIANAPOLIS, IND., January 6, 1902.

Mr. President—Your Finance Committee has had the bond of the Indianapolis Treasurer, Mr. Armin C. Koehne, under consideration, and recommend that same be accepted.

T. A. WYNNE, Chairman,
B. F. WYSONG,
FRED W. EPPERT,
W. A. RHODES,
JAMES E. BERRY,
JAMES D. MORIARITY.

Which was read and concurred in.

Mr. Holliday arrived and took his seat.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 71, 1901, made the following report.

INDIANAPOLIS, IND., January 6, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, having had G. O. No. 71, 1901, under consideration, respectfully recommend that the same do pass.

J. S. HOLLIDAY,
T. A. WYNNE,
FRED W. EPPERT,
ANDREW H. WAHL,
W. A. RHODES.

Which was read and concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Billingsley:

G. O. No. 1, 1902: An ordinance amending Section two (2) of General Ordinance No. 78, 1898, being an ordinance entitled "An ordinance declaring the emission into the open air of dense smoke, containing soot or other deleterious substances, from the smokestacks, chimneys or flues of any building or structure within the City of Indianapolis, to be a nuisance, and prohibiting the same, providing penalties for the violation thereof, and fixing a time when the same shall take effect."

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section 2 of the above entitled ordinance be, and the same is hereby amended so as to read as follows:

Sec. 2. Any owner, agent, lessee or manager of any building or other structure, situated within said city, who shall cause, allow or permit to be emitted into the open air, from any smokestack, chimney or flue connected with or built as a part of any such building or structure, dense smoke or smoke containing soot or other substance in such quantity as that such soot or other substance contained in said smoke shall be deposited or settle upon the surface of any property, public or private, situate within said city, so as to discolor or otherwise injure or deface any such property, or so as to interfere with the health or comfort of the inhabitants of said city, shall be guilty of creating a nuisance, and upon conviction thereof shall be fined in any sum not less than ten nor more than fifty dollars; and every day or part of a day on which any such nuisance is continued, after the taking effect of this ordinance, shall be deemed and held to be a separate offense: Provided, That there shall not be two convictions for the unlawful emission of such smoke on any one day: and, Provided further, That if such owner, agent, lessee or manager shall install and put in use some generally approved stoker or automatic fuel feeder, and the same is properly managed, then such installation, use and management shall be deemed a compliance with this ordinance.

Sec. 3. This ordinance shall take effect and be in force from and after the same has been signed and approved by the Mayor, and shall have been published once each week for two consecutive weeks in The Daily Reporter, a newspaper of general circulation, printed and published in the said city of Indianapolis.

Which was read a first time and referred to Committee on Public Property and Improvement.

By Mr. Negley:

G. O. No. 2, 1902. An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of livery and feed stables, hereafter erected or established in the City of Indianapolis, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, that it shall hereafter be unlawful for any person, partnership or corporation, to locate, build, erect and maintain, or establish

and maintain, any livery or feed stable, within the city of Indianapolis, upon any block or square upon which there is located three or more separate dwelling houses used for residence purposes, without first obtaining the consent in writing of a majority in number of the property owners owning the property within said block, and procuring the permit hereafter provided for.

Sec. 2. It shall hereafter be unlawful for any person, partnership or corporation to locate, build, erect and maintain, or establish and maintain, any livery or feed stable within the city of Indianapolis, upon any block or square upon which there exists any church or public school building.

Sec. 3. It shall hereafter be unlawful for any person, partnership or corporation hereafter to locate, build, erect and maintain, or establish and maintain, any livery or feed stable within the city of Indianapolis upon any block or square within fifty (50) feet of any dwelling house used for residence purposes, without first obtaining the written consent of the owner of such dwelling house, and procuring the permit hereinafter provided for.

Section 4. Any person hereafter desiring to locate, build, erect and maintain, or establish and maintain, a livery or feed stable upon any block or square in said city, shall file with the Board of Public Works his petition for a permit, which shall properly describe the parcel of ground upon which it is proposed to locate said livery or feed stable, and the same shall be signed by a majority in number of the property owners owning the property within said block or square, and if there be a dwelling house within fifty feet of the proposed site of said location for said livery or feed stable, then said petition shall also be signed by the owner of such dwelling house so located within fifty (50) feet of such site. Thereupon, said Board of Public Works shall cause forthwith written notices to be given by letter addressed and mailed to each of the property holders owning property, as aforesaid, in said block or square, upon which it is proposed to locate, build, erect and maintain, or establish and maintain, a livery or feed stable; stating in such notice that at a time and place therein named, the said Board will consider the petition for a permit to erect or establish such stable; and if the Board of Public Works, after the hearing, be satisfied that the petition is properly signed by a majority of the property owners within said block or square, and by the owner of the dwelling house, if any, within fifty feet of the proposed site of such stable, and be further satisfied that there is no church or public school building on said block or square, then and in that event a permit shall be granted by said Board of Public Works to said applicant to erect or establish such stable; and thereupon the City Comptroller shall be authorized to issue the permit to erect and maintain or establish and maintain such a livery or feed stable.

Sec. 5. Any person, partnership or corporation who shall violate any of the provisions of this ordinance, shall be fined in the sum of one hundred (\$100) dollars for the first offense; and the sum of twenty-five (\$25) dollars for every additional offense, and every day said ordinance is violated shall constitute a separate offense.

Sec. 6. And be it further ordained and provided that any livery or feed stable erected or established in violation of this ordinance, shall be deemed a nuisance, and may be abated as such; and it is hereby made the duty of the Building Inspector of the city of Indianapolis to abate the same as a nuisance by proper steps taken.

Sec. 7. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in The Daily

Reporter, a newspaper of general circulation printed and published in the city of Indianapolis, Ind.

Which was read a first time and referred to Committee on Judiciary.

By Mr. Wheeler:

G. O. No. 3, 1902. An ordinance requiring the Indianapolis & Vincennes Railroad Company to station and maintain one flagman at the crossing of Ray and Dover streets, in the city of Indianapolis, by the tracks of said company, and providing a penalty for its violation and fixing a time for its taking effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, that the Indianapolis & Vincennes Railroad Company be and the same is hereby required to station and maintain, at its expense, a flagman at the crossing of Ray and Drover streets in the city of Indianapolis, by the tracks of said company, which flagman shall be on duty at such point, at all times, from 6 o'clock, a. m., to 6 o'clock, p. m., of each day, so as to give proper warning to persons crossing such tracks at that point of the approach of engines, trains or cars upon the tracks of said railroad.

Sec. 2. For a violation of Section 1 of this ordinance, said railroad company shall be fined in any sum not less than ten nor more than fifty dollars, and each day of failure to comply with such provision, shall be deemed a separate offense.

Sec. 3. This ordinance shall be in force from and after its publication once each week for two consecutive weeks in The Daily Reporter, a daily newspaper having a general circulation in the city of Indianapolis.

Which was read a first time and referred to Committee on Railroads.

By Mr. Moriarity (by request):

G. O. No. 4, 1902. An ordinance to ascertain and fix the price at which natural gas shall be supplied to the inhabitants of the city of Indianapolis.

Whereas, It is provided by Section eleven (11) of the ordinance of the city of Indianapolis entitled "An ordinance authorizing corporations, firms, companies or individuals to lay and maintain pipes in the streets, alleys, avenues, lanes and public grounds in the city of Indianapolis for the purpose of supplying said city and its inhabitants with natural gas for heating and illuminating purposes," approved June 27, 1887, that all companies, corporations, firms and individuals availing themselves of the rights granted by said ordinance, shall supply natural gas to the inhabitants of said city at certain fixed prices, without any provision being made for any deduction from said prices on account of failure to furnish an adequate supply; and

Whereas, The companies in supplying natural gas under the provisions of said ordinance have failed to furnish a sufficient supply of

gas for considerable periods of time and to large numbers of consumers who have been compelled to pay for such insufficient supply the full prices fixed by said section of said ordinance; and

Whereas, By said section of said ordinance the power is expressly reserved to the Common Council of said city to revise and refix the rates so fixed and established, at any time after the expiration of ten years from the date of the passage of said ordinance, and said time has now expired, and

Whereas, It is deemed just that the consumers of natural gas in said city should not be required to pay for gas not supplied; therefore,

Be it ordained by the Common Council of the city of Indianapolis:

Section 1. That from and after the taking effect of this ordinance, natural gas shall be supplied in accordance with the provisions of said ordinance of June 27, 1887, to said city and its inhabitants by all companies, firms or individuals engaged in supplying natural gas under the provisions of said ordinance, and so long as they shall retain and exercise the rights granted by said ordinance, at and for the rate and price of not exceeding ten cents for each one thousand cubic feet of such gas supplied to each consumer. Such gas shall be supplied and used by meter measurement exclusively, and it shall be the duty of any company, firm or individual now or hereafter engaged in supplying natural gas to said city and its inhabitants, to furnish and set, on or before the first day of July, 1902, in proper working order for each consumer supplied by said company, firm or individual, a suitable and accurate meter whereby the amount of gas supplied to such consumer may at all times be correctly measured and ascertained, and for which amount, and no more, the consumer shall be liable to pay, which meter shall be so furnished and set without any expense to the consumer, and without any charge for the use of the same; and from and after said first day of July, 1902, each company, firm or individual engaged in supplying natural gas in said city under the provisions of said ordinance, shall furnish and set such meters upon demand for all persons becoming consumers after said date: Provided, however, That a reasonable deposit may be required to secure the payment of gas bills and any injury or damage to meters. Consumers until they are supplied with meters shall make payment for gas furnished to them respectively at the schedule of prices prescribed and fixed by said section eleven (11) of said ordinance.

Sec. 2. It shall be unlawful for any company, firm or individual engaged in supplying natural gas in said city, to require payment of any sum from any consumer of natural gas, for putting in any service connection, or for furnishing or setting any meter, or for the use of any meter; and for each and every violation of this section any such company, firm or individual shall be subject to a penalty of \$25, to be recovered by said city in a suitable action.

Sec. 3. For failure to furnish and set meters as herein required within the time limited, or upon demand to consumers becoming such after said time, each company, firm or individual so failing shall be subject to a penalty of \$..... for each day such failure shall continue after the expiration of such time, or after such demand, to be recovered by said city in a suitable action.

Sec. 4. All provisions of said section eleven (11) and of any other section of said ordinance of June 27, 1887, or of any other ordinance of said city, prescribing a schedule of rates or prices inconsistent herewith are hereby repealed in so far as they are inconsistent herewith.

Sec. 5. This ordinance shall take effect from and after its passage and publication as required by law.

Ordained and established this.....day of.....1901.

Which was read a first time, and on motion of Mr. Moriarity, referred to Committee of the Whole.

On motion of Mr. Moriarity, Mr. Holliday was declared the chairman of the Committee of the Whole.

By Mr. Wolsiffer:

G. O. No. 5, 1902. An ordinance requiring the Indianapolis Union Railway Company to station a flagman at Bluff avenue where the tracks of the said company cross the same, providing a penalty for the violation thereof and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Indianapolis Union Railway Company, be and the same is hereby directed and required to station and maintain a flagman at Bluff avenue where the railroad tracks of said company cross said Bluff avenue, in such a manner as to give notice and warning to the general traveling public passing along said avenue and crossing the said tracks of said company of the approach of all trains, cars and engines run or operated over and upon the said tracks at said crossing. If said company shall fail or refuse to station and maintain the flagman at said crossing, as required in this section, it shall, upon conviction thereof, be fined in any sum not exceeding one hundred (\$100) dollars, nor less than ten (\$10) dollars, and each day's continuance of the failure or refusal of said company to station and maintain the said flagman at said crossing as aforesaid, shall constitute a separate offense.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in The Daily Reporter, a daily newspaper of general circulation, printed and published in the city of Indianapolis, Indiana.

Which was read and referred to Committee on Railroads.

By Mr. Wynne:

G. O. No. 6, 1902. An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Parks of the city of Indianapolis, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That the sum of \$4,020 be and the same is hereby transferred to the "Garfield Improvements" account, from the appropriations heretofore made for the use of the Department of Public Parks from the following accounts for the year 1902:

From "Garfield Maintenance" account.....	\$2,950.00
From "Fletcher and Eleventh Maintenance" account..	870.00
From "Office" account.....	200.00

\$4,020.00

And said Department of Public Parks is hereby authorized to expend the sums so transferred, or so much thereof as may be necessary, for the purpose named.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 7, 1902. An ordinance approving a certain contract granting Burnet & Lewis the right to lay and maintain a switch or sidetrack across Van Buren street, in the city of Indianapolis, Indiana.

Whereas, Heretofore, to wit, on January 6, 1902, the Board of Public Works of the city of Indianapolis, Ind., made and entered into a certain contract with Burnet & Lewis, of the county of Marion, State of Indiana, which contract is as follows:

Whereas, Heretofore, to wit, on the 18th day of November, 1901, Burnet & Lewis filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, IND., November 18, 1901.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Burnet & Lewis, owners of certain real estate abutting Van Buren street and Shelby street, respectfully petition your Honorable Board, asking permission to construct and maintain one switch or sidetrack across Van Buren street, for the purpose of entering the grounds of the said Burnet & Lewis, as follows: The center line of said proposed switch begins in the center of the south track of the Union Railway Company (known as the Belt Railroad) on the north property line of Van Buren street; thence in a southwesterly direction along the arc of a thirty (30) degree curve, to a point on the south property line of Van Buren street, from which point leaving the track of the Union Railway Company, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

BURNETT & LEWIS,

By H. B. Burnet.

Now, therefore, this agreement, made and entered into this 6th day of January, 1902, by and between Burnet & Lewis, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Van Buren street in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the

grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

1. It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

2. Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

3. The crossing where said sidetrack or switch interseects Van Buren street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

4. Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done said Board shall in nowise become a trespasser.

5. The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, of Van Buren street, to the entire satisfaction of the second party; and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

6. The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

7. Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than

one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Van Buren street in the city of Indianapolis, as follows:

The center line of said proposed switch begins in the center of the south track of the Union Railway Company (known as the Belt Railroad) on the north property line of Van Buren street; thence in a southwesternly direction along the arc of a thirty (30) degree curve, to a point on the south property line of Van Buren street, from which point leaving the track of the Union Railway Company, all as shown by the drawing attached hereto, filed herewith, and for greater certainty, marked "Exhibit."

In witness whereof, We have hereunto set our hands this 6th day of January, 1902.

BURNET & LEWIS,

By H. B. Burnet.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works, party of the second part.

And, whereas, said contract has been submitted by said Board to the Common Council of the city of Indianapolis for its consideration and action; now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That said contract above set forth be and the same is hereby, in all things, confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. 8, 1902. An ordinance approving a certain contract granting Indianapolis Hominy Mills the right to lay and maintain a switch or sidetrack across Madison avenue in the city of Indianapolis, Ind.

Whereas, heretofore, to wit, On January 6, 1902, the Board of Public Works of the city of Indianapolis, Indiana, made and entered into a certain contract with Indianapolis Hominy Mills, of the county of Marion, State of Indiana, which contract is as follows:

Whereas, heretofore, to wit, On the 15th day of October, 1901, the Indianapolis Hominy Mills, by Hervey Bates, President, filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

INDIANAPOLIS, IND., October 15, 1901.

To the Honorable Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Indianapolis Hominy Mills, respectfully petitions your honorable body, asking permission to construct and

maintain one switch or sidetrack across Madison avenue at and adjoining on the north the Belt Railway, the exact location of said proposed sidetrack or switch being more specifically described as follows: The center line of said proposed switch or sidetrack begins at a point in the east line of Madison avenue six (6) feet north of the north line of the right of way of the Union Railway Company; thence westerly, crossing Madison avenue on a curve connecting with said Union Railway Company's track, all as shown by the drawing herewith submitted and for greater certainty marked "Exhibit B."

Your petitioner prays that the privilege herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract Respectfully submitted,

INDIANAPOLIS HOMINY MILLS,

By Hervey Bates, President.

Now, therefore, This agreement, made and entered into this 6th day of January, 1902, by and between Indianapolis Hominy Mills, by Hervey Bates, President, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That said party of the first part, being desirous of securing a right of way for a switch or sidetrack over and across Madison avenue, in the city of Indianapolis, as more specifically described in the petition of said first party, hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

1. It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

2. Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade, which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

3. The crossing where said sidetrack or switch interseects Madison avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

4. Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in nowise become a trespasser.

5. The party of the first part agrees to plank between such sidetrack or switch, from property line to property line, of Madison avenue, to the entire satisfaction of the second party; and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed or become in any way defective (of which facts the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done at the expense of said party of the first part, and for which expense and cost the said party of the first part shall be liable.

6. The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance, or use of said sidetrack or switch and to pay any judgment and costs that may, on that account, be rendered against it or said city.

7. Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and conditions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay a single switch or sidetrack across Madison avenue, in the city of Indianapolis, as follows: The center line of said proposed switch or sidetrack begins at a point in the east line of Madison avenue six (6) feet north of the north line of the right of way of the Union Railway Company; thence westerly crossing Madison avenue on a curve, connecting with said Union Railway Company's track, all as shown by the drawings hereto attached and made a part hereof, and for greater certainty marked "Exhibit B."

In witness whereof we have hereunto set our hands this 6th day of January, 1902.

INDIANAPOLIS HOMINY MILLS,

By Hervey Bates, President.

Party of the First Part.

CITY OF INDIANAPOLIS,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works, party of the second part.

And, Whereas, Said contract has been submitted by the said Board to the Common Council of the City of Indianapolis, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., that said contract above set forth, be, and the same is hereby, in all things, confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Sourbier:

G. O. No. 9, 1902. An ordinance to amend Section one (1) of an ordinance entitled an ordinance prescribing general regulations for the public markets for the city of Indianapolis, Ind., prescribing and defining the general power, functions and duties of the City Market Master and concerning matters connected with the City Market, repealing certain ordinances and repealing all ordinances and parts of ordinances in conflict therewith, providing penalties for the violation thereof, providing for publication and fixing the time when the same shall take effect, approved March 12, 1894.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., that Section 1 of an ordinance entitled "An ordinance prescribing the general regulations for the public markets for the city of Indianapolis, Ind., prescribing and defining the general powers, functions and duties of the City Market Master and concerning matters connected with the City Market; repealing certain ordinances and repealing all ordinances and parts of ordinances in conflict therewith, providing penalties for the violation thereof; providing for the publication and fixing the time when the same shall take effect, approved March 12, 1894, be amended so as to read as follows:

(Amendment) Section 1. Be it ordained by the Common Council of the city of Indianapolis, that the Market House on the west side of the south half of square forty-three in the city of Indianapolis, Ind., under Tomlinson Hall, is hereby established and declared a public market for the sale of provisions; the Market House on the said south half of square forty-three east of said Tomlinson Hall is hereby established and declared to be a public market for the sale of meats, poultry, game, butter, eggs and fruit. And the east side of Delaware street, between Wabash and Market streets; the north and south sides of Market streets, between Delaware and Alabama streets; the west side of Alabama street, between Wabash and Market streets; the east side of Delaware street, between Market and Washington streets, the east side of the south half of said square forty-three, bordering on the property line next to Alabama street; the south side of said square forty-three between the east market house and Alabama street abutting on the property line next to Market street in the said city, is hereby established and declared to be the public market for the sale of poultry, game, butter, eggs, fruits and vegetables in their natural state. The said market houses and said specified spaces shall be known as the East Market, and any one selling anything of any character other than those above described shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than five (5) dollars nor more than fifty (50) dollars.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Judiciary.

MISCELLANEOUS BUSINESS.

Under this order of business, Mr. Wynne made the following motion:

INDIANAPOLIS, IND., January 6, 1902.

Mr. President—I move that the bond of the City Treasurer, Mr. Armin C. Koehne, be ratified.

T. A. WYNNE.

Which was read and adopted.

ORDINANCES ON SECOND READING.

On motion of Mr. Holliday, the following entitled ordinance was taken up and read a second time:

G. O. No. 71, 1901. An ordinance changing the name of Bellefontaine street, between Twenty-first street and Twenty-third street, to Ashland avenue.

On motion of Mr. Holliday, App. O. No. 71, 1901, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz: Messrs. Berry, Billingsley, Cooper, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes: None.

Mr. Billingsley moved that the following entitled ordinance be taken up and read a second time: G. O. No. 74, 1901: An ordinance to amend Section two (2) of an ordinance entitled "An ordinance authorizing the employment of certain clerks, assistants and employes, and providing for the compensation of certain officers, heads of departments, clerks and employes, fixing the compensation, salary and wages of certain officers, clerks and employes of the city of Indianapolis, Ind., repealing all conflicting ordinances and fixing the time when this ordinance shall take effect," the same being G. O. No. 79, 1893, passed by the Common Council of the city of Indianapolis, January 15, 1894, and in force January 18, 1894, repealing conflicting ordinances and fixing a time when the same shall take effect.

On motion of Mr. Billingsley, App. O. No. 74, 1901, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz: Messrs. Berry, Billingsley, Cooper, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

On motion of Mr. Billingsley the Common Council, at 8:45 o'clock, adjourned.

R. M. Haldeman

President.

Attest:

C. K. Elliott

City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
TUESDAY, January 7, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Tuesday evening, January 7, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, IND., January 7, 1902.

Charles N. Elliott, Esq., City Clerk:

Sir—You are hereby notified that there is hereby called a special meeting of the Common Council of the City of Indianapolis, to be held in the Council Chamber in said city on Tuesday evening, the 7th day of January, at 7:30 o'clock, for the purpose of considering and taking action on G. O. No. 2, 1902.

HARRY M. HALDEMAN,
President of the Common Council of the City of Indianapolis, Ind.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wolsiffer and Wynne.

Absent, 2, viz.: Messrs. Crall and Wysong.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Negley, on behalf of the Committee on Judiciary, to which was referred G. O. No. 2, 1902: An ordinance regarding the location, erection and maintenance, or establishment and maintenance of livery and feed stables, hereafter erected or established in the city of Indianapolis, fixing a penalty for the violation thereof; providing for the publication thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., January 7, 1902.

Mr. President—Your Committee on Judiciary, to whom was referred G. O. No. 2, 1902, begs leave to submit the following recommendations:

1. That the following be inserted after Section 6: "Section 7. And be it further ordained, That any permit for the construction or location of any livery or feed stable, issued by the Comptroller of said city since the first day of January, 1902, or hereafter issued by him, and not in conformity with the provisions of this ordinance, is hereby revoked, and the same is null and void."

2. That Section 7 in the ordinance be numbered "Section 8."

3. And when so amended, we recommend that the same do pass.

H. E. NEGLEY,
FRED W. EPPERT,
M. C. KELLY.

Which was read and on motion of Mr. Negley, concurred in.

ORDINANCES ON SECOND READING.

On motion of Mr. Negley, G. O. No. 2, 1902, was taken up and read a second time.

On motion of Mr. Negley, G. O. No. 2, 1902, was amended as recommended by committee.

On motion of Mr. Negley, G. O. No. 2, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 19, viz: Messrs. Berry, Billingsley, Cooper, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and President Haldeman.

Noes: None.

On motion of Mr. Rhodes, the Common Council, at 8:10 o'clock, adjourned.

P. H. Haldeman

President.

ATTEST:

O. K. Elliott

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, January 20, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 20, 1902, at 8:00 o'clock, in regular session.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Shea, Sourbier, Whal, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Mr. Meyer and President Haldeman.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, IND., January 11, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

General Ordinance No. 74, 1901: An ordinance to amend Section 2 of an ordinance entitled "An ordinance authorizing employment of certain clerks, assistants and employes and providing for compensation of certain officers, heads of departments, clerks and employes, and fixing the compensation, salaries and wages of certain officers, clerks

and employes of the city of Indianapolis; repealing all conflicting ordinances and fixing the time when the same shall take effect."

General Ordinance No. 71, 1901: "An ordinance changing the name of Bellefontaine street, between Twenty-first and Twenty-third streets, to Ashland avenue."

General Ordinance No. 2: "An ordinance regulating the location, erection and maintenance, or establishment and maintenance of livery and feed stables hereafter to be erected or established in the city of Indianapolis; providing a penalty for the violation thereof; providing for the publication thereof, and fixing a time when the same shall take effect."

Very truly yours,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM STANDING COMMITTEES.

Mr. Crall, on behalf of the Committee on Accounts and Claims, to which was referred a communication from the League of American Municipalities, made the following report:

INDIANAPOLIS, January 20, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Accounts and Claims, to whom was referred a communication from the League of American Municipalities, have had the same under consideration, and after careful deliberation are undecided as to the advisability of continuing our membership in the League.

From a statement accompanying the communication there appears to be due the League the sum of \$100 for the years 1901 and 1902, ending June 17, 1902. We do not think it advisable to recommend the payment of this claim, providing the city wishes to sever its membership. We would therefore respectfully recommend that a committee of three be appointed by the President of this body to confer with the Mayor, Comptroller and City Attorney as to the advisability of retaining our membership, said committee to report at its earliest convenience.

Respectfully submitted,
JNO. H. CRALL,
M. C. KELLY,
W. H. WHEELER.

On motion of Mr. Crall, the report of the committee was adopted, and President *pro tem.* Rhodes appointed the same committee to act as the special committee.

Mr. Crall, on behalf of the Committee on Public Property and Improvements, to which was referred G. O. No. 72, 1901, An ordinance to amend Section 3 of an ordinance entitled: "An

ordinance prescribing general regulations for the public markets of the city of Indianapolis, Indiana, prescribing and defining the general powers, functions and duties of the City Market Master, and concerning matters connected with the City Market; repealing certain ordinances, and repealing all ordinances and parts of ordinances in conflict therewith; providing penalties for violation thereof; providing for publication and fixing the time when the same shall take effect," approved March 12, 1894.

Made the following report:

INDIANAPOLIS, January 20, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Public Property and Improvement, to whom was referred General Ordinance No. 72, 1901, have had same under consideration, and would respectfully recommend that same do not pass.

JNO. H. CRALL,
LEW W. COOPER,
JOHN WOLSIFFER.

Which was read and concurred in.

Mr. Cooper, on behalf of a majority of the Committee on Railroads, to which was referred G. O. No. 62, 1901, An ordinance regulating the speed and operation of electric street cars; for protection of life, limb and property.

Made the following report:

INDIANAPOLIS, January 20, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to whom was referred G. O. No. 62, 1901, has had the same under consideration and recommends that the same do not pass.

LEW W. COOPER,
J. H. BILLINGSLEY,
T. A. WYNNE,
J. S. HOLLIDAY.

Which was read.

Mr. Wolsiffer, on behalf of a minority of the Committee on Railroads, to which was referred G. O. No. 62, 1901, made the following report:

INDIANAPOLIS, January 20, 1902.

To the President and Members of the Common Council:

Gentlemen—I beg to submit herewith a minority report on the passage of General Ordinance No. 62, 1901, as follows: That said ordinance as introduced, be passed and adopted.

JOHN WOLSIFFER.

Which was read.

Mr. Cooper moved that the majority report be adopted.

Mr. Moriarity moved to lay the majority report on the table.

Which motion was lost by the following vote:

Ayes, 7—viz.: Messrs. Berry, Kelly, Moriarity, Shea, Warweg, Wolsiffer.

Noes, 12—viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Whereupon Mr. Cooper's motion that the majority report be concurred in, prevailed by the following vote:

Ayes, 12—viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes, 7—viz.: Messrs. Berry, Kelly, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Mr. Cooper, on behalf of the Committee on Railroads, to which was referred G. O. No. 5, 1902, An ordinance requiring the Indianapolis Union Railway Company to station a flagman at Bluff avenue where the tracks of said company cross the same,

providing a penalty for the violation thereof and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, January 20, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, having had under consideration G. O. No. 5, 1902, recommends that the same do pass.

LEW W. COOPER,
J. H. BILLINGSLEY,
T. A. WYNNE,
JNO. WOLSIFFER,
J. S. HOLLIDAY.

Which was read and concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Warweg:

G. O. No. 10, 1902: An ordinance regulating the price to be charged consumers of electric light in the city of Indianapolis, fixing a penalty and time of taking effect of same.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Marion county, Ind., that, from and after the passage of this ordinance, all persons, firms, companies or corporations furnishing electric light to consumers in said city shall be governed by the following rates:

For each incandescent lamp of 16-candle power a charge shall not be made to exceed 60 cents for each 10,000 watts, measured by watt meter.

The said persons, firms, companies or corporations contracting to furnish said light shall replace and renew at their own expense all lamps burned out, and that said company shall not charge to exceed 60 cents per each 10,000 watts, measured by watt meter, for arc lamps.

Sec. 2. Any firm, company or corporation furnishing light to consumers in said city, as above, who shall charge a greater rate than herein specified, shall upon conviction be deemed guilty of violating the provisions of this ordinance, and shall be fined in any sum not less than \$10 for each offense.

Sec. 3. This ordinance shall be in force and effect from and after its passage.

Which was read a first time and referred to Committee on Ordinances.

By Mr. Warweg:

G. O. No. 11, 1902: An ordinance requiring the Lake Erie and Western Railroad Company, the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, and the Chicago, Indianapolis and Louisville Railway Company, to station a flagman at the crossing of East New York street and the railway tracks of said companies, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Lake Erie and Western Railroad Company, the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, and the Chicago, Indianapolis and Louisville Railway Company, be and each of them is hereby required to maintain a flagman at the crossing of East New York street and the tracks of said companies in the city of Indianapolis: Provided, however, That said companies shall have the right to unite in employing the same person to represent said companies, as flagman, at said crossing. Any one of said companies violating or refusing to comply with the requirements of this ordinance, shall, upon conviction thereof be fined in any sum not less than fifty dollars nor more than one hundred dollars, and each day's continuance of such violation shall constitute a separate offense.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication one day each week for three successive weeks in the Daily Reporter, a daily newspaper of general circulation, printed and published in the City of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Railroads.

ORDINANCES ON SECOND READING.

On motion of Mr. Crall, the following entitled ordinance was taken up, read a second time, ordered engrossed and then read a third time: G. O. No. 62, 1901. An ordinance regulating the speed and operation of electric street cars; for protection of life, limb and property.

And failed to pass by the following vote:

Ayes, 6—viz.: Messrs. Berry, Kelly, Moriarity, Shea, Wahl and Warweg.

Noes, 13—viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

On motion of Mr. Crall, the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read

a third time: G. O. No. 72, 1901. An ordinance to amend Section 3 of an ordinance entitled: "An ordinance prescribing general regulations for the public markets of the city of Indianapolis, Indiana, prescribing and defining the general powers, functions and duties of the City Market Master, and concerning matters connected with the City Market; repealing certain ordinances, and repealing all ordinances and parts of ordinances in conflict therewith; providing penalties for violation thereof; providing for publication and fixing the time when the same shall take effect," approved March 12, 1894.

And failed to pass by the following vote:

Ayes, 3—viz.: Messrs. Billingsley, Moriarity and Wahl.

Noes, 16—viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, McFarland, Negley, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

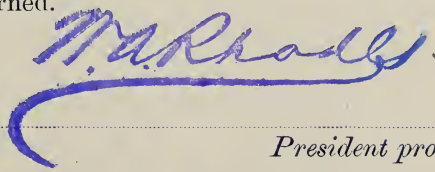
On motion of Mr. Wolsiffer, the following entitled ordinance was taken up, read a second time, ordered engrossed, and then read a third time: G. O. No. 5, 1902. An ordinance requiring the Indianapolis Union Railway Company to station a flagman at Bluff avenue where the tracks of the said company cross the same, providing a penalty for the violation thereof and fixing the time when the same shall take effect.

And was passed by the following vote:

Ayes, 18—viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes 1—viz.: Mr. Moriarity.

On motion of Mr. Negley, the Common Council, at 8:30 o'clock p. m., adjourned.


.....
President pro tem.

ATTEST:


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City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

WEDNESDAY, January 22, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday evening, January 22, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, January 22, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called, to meet at the hour of 7:30 o'clock p. m., on January 22, 1902, in the Council Chamber of said City, for the purpose of introducing, taking action on and passing an ordinance providing for the erection and construction of a building on the Indianapolis City Hospital grounds, for the detention and treatment of smallpox and other contagious diseased patients, and appropriating the sum of \$2,500 for such purpose, declaring an emergency and fixing the time when the same shall take effect.

And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service at said special meeting.

CHARLES A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 16 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wolsiffer and Wysong.

Absent 4—viz.: Meyer, Wheeler, Wynne and President Haldeman.

COMMUNICATION FROM CITY COMPTROLLER.

CITY OF INDIANAPOLIS,
Finance Department,
INDIANAPOLIS, January 22, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities calling my attention to the urgent need of a temporary hospital for the care of smallpox cases.

After thorough investigation of present conditions, I am convinced that an emergency exists and that immediate provisions should be made for the proper care and treatment of contagious diseases.

I therefore recommend the passage of an ordinance appropriating the sum of \$2,500 for the erection of a building suitable for the purposes herein named.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which communication was read and referred to Committee on Finance.

COMMUNICATION FROM BOARD OF PUBLIC HEALTH AND CHARITIES

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.
City of Indianapolis,
INDIANAPOLIS, IND., January 21, 1902.

The Hon. Comptroller, City of Indianapolis:

Dear Sir—We call your attention to the urgent necessity of constructing a temporary hospital for the care of smallpox patients. The present hospital is entirely inadequate for their proper care; it is only large enough to comfortably house ten (10) patients, and we have already crowded into it twenty-two (22) patients, and we are unable to place any more. We have eleven (11) houses under quarantine, and are sure to have a number of cases develop in these houses.

It is absolutely necessary for the general safety that a temporary structure be built. With this in view, and after consultation with the Mayor, we have had a set of plans and specifications made for a hospital to accommodate about forty (40) patients; this structure will be constructed as cheaply as possible, but sufficiently durable for their proper care. The present structure where the smallpox cases are kept should be moved further from the hospital proper, as it is within

twelve feet of the engine house, and the assistant engineer has already contracted the disease owing to its proximity.

We find that it will take at least \$2,500 to construct a temporary hospital and move the present structure.

Very respectfully yours,

By order of Board.

EUGENE BUEHLER,
Sec'y Board of Health.

Which was read and, on motion of Mr. Negley, referred to Committee on Finance.

APPROPRIATION ORDINANCE.

By Mr. Crall:

App. O. No. 1, 1902: An ordinance authorizing the Board of Public Works of the City of Indianapolis to construct and erect a temporary building on the grounds known as the City Hospital grounds, for the purpose of detaining and treating smallpox patients; appropriating the sum of two thousand five hundred (\$2,500) dollars for such purpose; declaring an emergency and fixing the time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Board of Public Works of said city of Indianapolis be and is hereby authorized to construct a temporary building on the grounds adjacent to the City Hospital, for the use of the Board of Public Health in protecting the health of citizens against smallpox, and in caring for and treating persons afflicted therewith.

Sec. 2. That to pay the cost of the construction of said temporary building the sum of two thousand five hundred (\$2,500) dollars be and is hereby appropriated out of the funds of the city treasury not otherwise appropriated, or so much thereof as is necessary, to construct said building.

Sec. 3. An emergency existing for the immediate taking effect of this ordinance, the same shall be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

Mr. Meyer arrived and took his seat at 7:30.

Mr. Wynne arrived and took his seat at 7:35.

Mr. Berry moved that the Common Council do now adjourn, which motion was lost by following vote:

Ayes, 8—viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Noes, 11—viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Wynne, Wysong and Vice-President Rhodes.

On motion of Mr. Negley, Council took a recess of ten minutes.

Council reconvened at 8:12 o'clock.

On motion of Mr. Wynne the Common Council at 8:15 o'clock adjourned.

Mr. Rhodes

President pro tem.

ATTEST:

O. W. Elliott

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

FRIDAY, January 24, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Friday evening, January 24, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, January 24, 1902.

Charles N. Elliott, City Clerk:

You are hereby directed to issue call for a special meeting of the Common Council, to meet in the Council Chamber, at 7:30 p. m., January 24, 1902, for the purpose of considering and taking action on App. O. No. 1, 1902.

You will please serve notice on the members of the Common Council for above call.

JNO. H. CRALL,
T. A. WYNNE,
J. H. BILLINGSLEY,
J. S. HOLLIDAY,
LEW W. COOPER.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 19 members—viz. : Messrs. Berry, Billingsly, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1—viz. : President Haldeman.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to whom was referred App. O. No. 1, 1902: An ordinance authorizing the Board of Public Works of the City of Indianapolis to construct and erect a temporary building on the

grounds known as the City Hospital grounds, for the purpose of detaining and treating smallpox patients; appropriating the sum of two thousand five hundred dollars (\$2,500) for such purpose; declaring an emergency and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, January 24, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance have had App. O. No. 1, 1902, under consideration, and recommend that same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES,
B. F. WYSONG,
JNO. H. CRALL.

On motion of Mr. Wynne, the report was concurred in by the following vote:

Ayes, 11—viz.: Messrs. Billingsley, Cooper, Crall, Holliday, Meyer McFarland, Negley, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes, 8—viz.: Messrs. Berry, Eppert, Kelly, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Mr. Berry moved that the Council do now adjourn, which motion was lost by the following vote:

Ayes, 7—viz.: Messrs. Berry, Eppert, Kelly, Moriarity, Wahl, Warweg and Wolsiffer.

Noes, 12—viz.: Messrs. Billingsley, Copper, Crall, Holliday, Meyer, McFarland, Negley, Shea, Wheeler, Wynne, Wysong and Vice-President Rhodes.

ORDINANCES ON SECOND READING.

Mr. Wynne moved that App. Ord. No. 1, 1902, be taken up and read a second time.

App. O. No. 1, 1902: An ordinance authorizing the Board of Public Works of the City of Indianapolis to construct and erect a temporary building on the grounds known as the City Hospital grounds, for the purpose of detaining and treating smallpox patients; appropriating the sum of two thousand five hundred (\$2,500) dollars for such purpose; declaring an emergency and fixing the time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Board of Public Works of said city of Indianapolis be and is hereby authorized to construct a temporary building on the grounds adjacent to the City Hospital, for the use of the

Board of Public Health in protecting the health of citizens against smallpox, and in caring for and treating persons afflicted therewith.

Sec. 2. That to pay the cost of the construction of said temporary building the sum of two thousand five hundred (\$2,500) dollars be and is hereby appropriated out of the funds of the city treasury not otherwise appropriated, or so much thereof as is necessary, to construct said building.

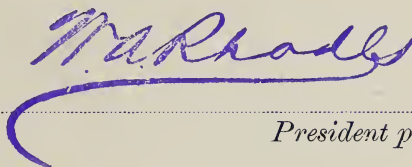
Sec. 3. An emergency existing for the immediate taking effect of this ordinance, the same shall be in force from and after its passage.

On motion of Mr. Wynne, App. O. No. 1, 1902, was ordered engrossed, read a third time and failed to pass for want of a constitutional two-thirds majority.

Ayes, 11—viz.: Messrs. Billingsley, Cooper, Crall, Holliday, Meyer, McFarland, Negley, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes, 8—viz.: Messrs. Berry, Eppert, Kelly, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Berry the Common Council, at 8:10 o'clock, adjourned.

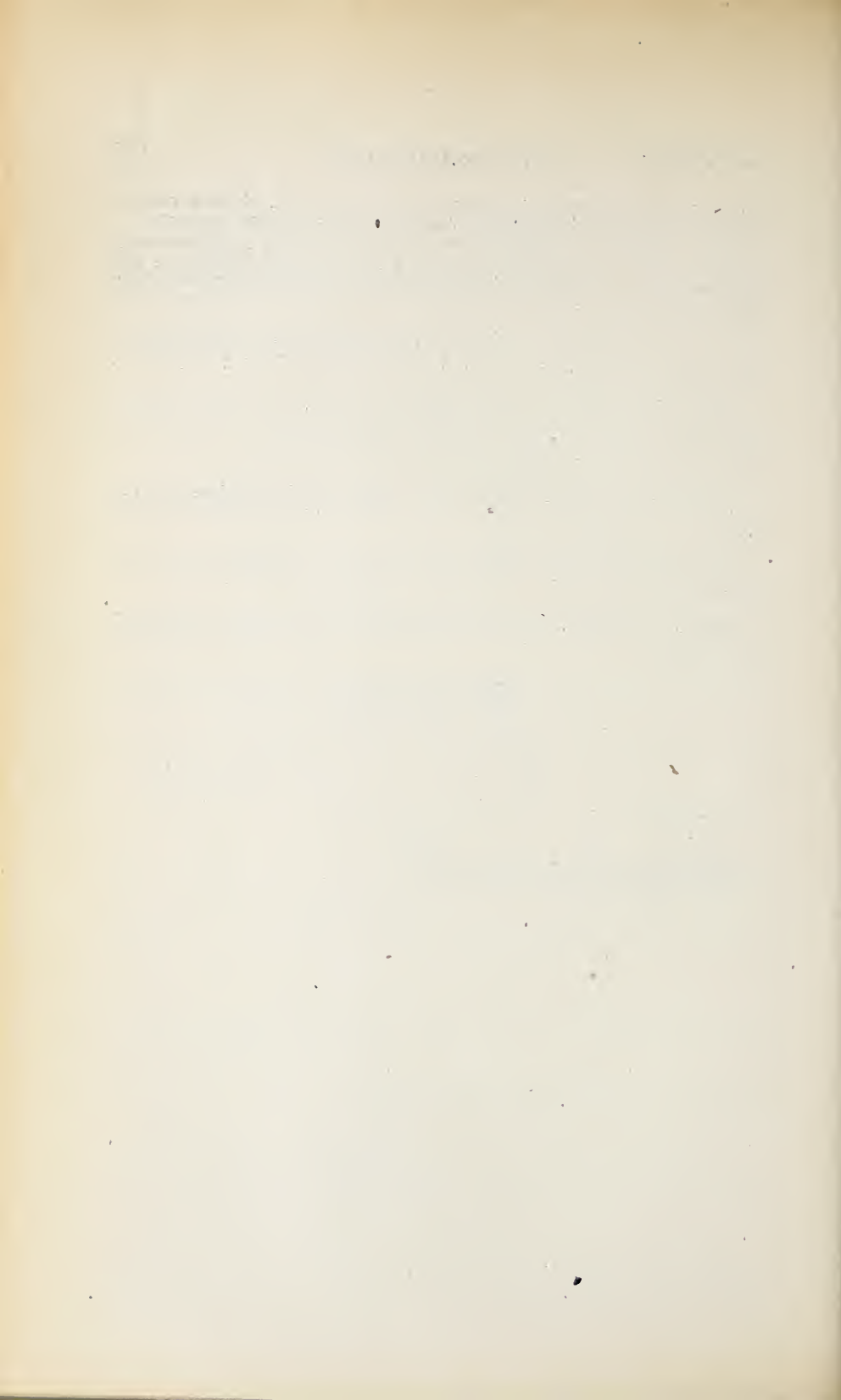


President pro tem.

ATTEST:



City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

THURSDAY, January 30, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday evening, January 30, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, January 30, 1902.

To the City Clerk, President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 o'clock p. m. on January 30, 1902, in the Council Chamber of said city, for the purpose of introducing and taking action on an ordinance providing for the erection and construction of a building on the Indianapolis City Hospital grounds for the detention and treatment of contagious diseased patients, and appropriating the sum of \$2,500 for such purpose.

And for the purpose of introducing and taking action on an ordinance appropriating the sum of two thousand dollars (\$2,000) for the Contagious Disease Fund of the city of Indianapolis.

And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service at said special meeting.

CHARLES A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Honorable Wm. A. Rhodes, Vice-President of the Common Council, and 18 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. Billingsley, Wheeler and President Haldeman.

COMMUNICATIONS FROM CITY COMPTROLLER.

CITY OF INDIANAPOLIS,
Finance Department,
INDIANAPOLIS, January 30, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities calling my attention to the urgent need of a temporary hospital for the care of smallpox cases.

After thorough investigation of present conditions, I am convinced that an emergency exists and that immediate provisions should be made for the proper care and treatment of contagious diseases.

I therefore recommend the passage of an ordinance appropriating the sum of \$2,500 for the erection of a building suitable for the purposes herein named.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, January 30, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities, asking for an appropriation of two thousand dollars for the prevention of contagious diseases.

I recommend that an ordinance be passed appropriating the sum asked for.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.
City of Indianapolis,
INDIANAPOLIS, January 30, 1902.

Hon. George T. Breunig, City Comptroller:

Dear Sir—I beg to inform you that the appropriation of one thousand dollars (\$1,000) for contagious diseases has been expended and that we request an additional two thousand dollars (\$2,000) to meet the current expenses of maintaining the quarantine and the care of the patients

in the smallpox pavilion. We have at the present time 114 persons in quarantine at the following places:

1643 Yandes street, 826 Scioto street, 729 Indiana ave., 648 Missouri street, 537 Lafayette street, 623 West St. Clair (in the rear), 923 North Alabama street, 1326 Harlan street, 323 West 14th street, 527 California street, 431 Hiawatha street, 20 North Beville ave., 407 Waldon street, 1812 Woodlawn ave., 2310 Station street (Brightwood), 1024 Canal street, 30 North New Jersey street.

In addition to the expense incurred in the care of smallpox patients, the rental of a house for the care of other contagious diseases, such as diphtheria, scarlet fever, measles and so forth, is charged to this fund. We therefore beg you to take immediate action to increase the fund to the above amount.

Very respectfully yours,

EUGENE BUEHLER,
Sec'y Board of Health.

Which was read and referred to Committee on Finance.

COMMUNICATIONS FROM BOARD OF PUBLIC HEALTH AND CHARITIES.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.
City of Indianapolis,
INDIANAPOLIS, January 21, 1902.

The Hon. Comptroller, City of Indianapolis:

Dear Sir—We call your attention to the urgent necessity of constructing a temporary hospital for the care of smallpox patients. The present hospital is entirely inadequate for their proper care; it is only large enough to comfortably house ten (10) patients, and we have already crowded into it twenty-two (22) patients, and we are unable to place any more. We have eleven (11) houses under quarantine, and are sure to have a number of cases develop in these houses.

It is absolutely necessary for the general safety that a temporary structure be built. With this in view, and after consultation with the Mayor, we have had a set of plans and specifications made for a hospital to accommodate about forty (40) patients; this structure will be constructed as cheaply as possible, but sufficiently durable for their proper care. The present structure where the smallpox cases are kept should be moved further from the hospital proper, as it is within twelve feet of the engine house, and the assistant engineer has already contracted the disease owing to its proximity.

We find that it will take at least \$2,500 to construct a temporary hospital and move the present structure.

Very respectfully yours,

By order of Board.

EUGENE BUEHLER,
Sec'y Board of Health.

Which was read and referred to Committee on Finance.

APPROPRIATION ORDINANCES.

By City Comptroller (through Mr. Wynne):

App. O. No. 2, 1902: An ordinance authorizing the Board of Public Works of the city of Indianapolis to construct and erect a temporary building on the grounds known as the City Hospital grounds, for the purpose of detaining and treating persons afflicted with contagious diseases; appropriating the sum of two thousand five hundred (\$2,500) dollars, declaring an emergency, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that the Board of Public Works of the city of Indianapolis be and is hereby authorized to construct a temporary building on the grounds adjacent to the City Hospital, for the use of the Board of Public Health in protecting the health of citizens against contagious diseases, and in caring for and treating persons afflicted therewith; Provided, however, That the said building shall not be used in treating and detaining smallpox patients after July 1, 1902.

Sec. 2. That to pay the cost of the construction of said temporary building, the sum of two thousand five hundred (\$2,500) dollars be and is hereby appropriated out of the funds of the city treasury not otherwise appropriated, or so much thereof as is necessary to pay for the construction of said building.

Sec. 3. An emergency existing for the immediate taking effect of this ordinance, the same shall be in full force and effect from and after its passage.

Which was read and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 3, 1902: An ordinance appropriating the sum of two thousand (\$2,000), dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated for the use of the Department of Public Health and Charities, to be credited to the fund known as "Contagious Disease Fund," the sum of two thousand (\$2,000) dollars.

Sec. 2. An emergency existing for the immediate taking effect of this ordinance the same shall be in full force from and after its passage.

Which was read and referred to Committee on Finance.

MISCELLANEOUS BUSINESS.

Mayor Bookwalter being present, Mr. Negley moved that he be granted the privilege of the floor for the purpose of addressing the Council, to give the members thereof additional and

accurate information as to the position of the city administration as to the emergency in the smallpox situation and the best temporary methods of meeting the same. The motion being put by the chair, every member voted aye, except Mr. Meyer, who voted, no.

The chair thereupon announced that unanimous consent was not given, and the Mayor could not be heard.

On motion of Mr. Sourbier the Common Council adjourned at 7:50 o'clock P. M.



.....
President pro tem.

ATTEST:



.....
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, February 3, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, February 3, 1902, at 8:00 o'clock, in regular session.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 19 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: President Haldeman.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 6, 1902: An ordinance transferring certain funds from certain funds heretofore appropriated to and

for the use of the Department of Public Parks of the city of Indianapolis, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., February 3, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had G. O. No. 6, 1902, under consideration, and recommends that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
FRED W. EPPERT,
W. A. RHODES,
B. F. WYSONG,
JAMES D. MORIARITY.
JAMES E. BERRY.

Which was read and concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 3, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars, for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., February 3, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 3, 1902, under consideration and recommends that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
FRED W. EPPERT,
W. A. RHODES,
B. F. WYSONG,
JAMES D. MORIARITY,
JAMES E. BERRY,

Which was read and concurred in.

Mr. Cooper, on behalf of Committee on Railroads, to which was referred G. O. No. 8, 1902: An ordinance approving a certain contract granting Indianapolis Hominy Mills the right to lay and maintain a switch or sidetrack across Madison avenue in the city of Indianapolis, Ind.

Made the following report:

INDIANAPOLIS, February 3, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to which was referred G. O. No. 8, 1902, recommend that the contract in said ordinance be referred back to Board of Public Works for the following changes:

Change that portion of said contract on last page from and after the word "follows" in fourth line, to read as follows: "The center line of the said proposed switch or sidetrack begins at a point in the north line of the right of way of the Union Railway Company, and east on Madison ave.; thence westerly on a curve, six feet south of the north line of right of way of the Union Railway Company; thence west crossing Madison avenue on a line parallel with the tracks of the Union Railway Company, to a point west of Madison avenue; thence connecting with the tracks of the Union Railway Company on a curve, all as shown by the drawing herewith submitted, and for a greater certainty marked 'exhibit B.'"

LEW W. COOPER,
T. A. WYNNE,
J. S. HOLLIDAY,
J. H. BILLINGSLEY.

Mr. Cooper, on behalf of Committee on Railroads, to which was referred G. O. No. 11, 1902: An ordinance requiring the Lake Erie and Western Railroad Company, the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, and the Chicago, Indianapolis and Louisville Railway Company, to station a flagman at the crossing of East New York street and the railway tracks of said companies, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 3, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to which was referred G. O. No. 11, 1902, has had the same under consideration and recommends that same do pass.

T. A. WYNNE, Chairman,
LEW W. COOPER,
J. H. BILLINGSLEY,
J. S. HOLLIDAY,
JOHN WOLSIFFER.

Mr. Meyer, asked for report of Committee on Railroads on G. O., No. 7, 1902.

Mr. Cooper, on behalf of that committee, stated that committee was not ready to report, and requested two weeks' further time in which to make report.

On motion of Mr. Negley the additional time was granted.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Negley:

G. O. No. 12, 1902: An ordinance prohibiting the location, erection, construction or building hereafter of stock yards within the corporate limits of the city of Indianapolis, and also prohibiting the engaging in or carrying on of the general business of handling, feeding, selling or otherwise disposing of hogs, cattle, sheep, horses or other live stock of any kind whatsoever at any such stock yards; providing a penalty for the violation thereof, and for the publication of the same and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That it shall hereafter be unlawful for any person, firm or corporation to locate, erect, construct or build within the corporate limits of the city of Indianapolis any yards, buildings, pens or structures of any kind whatsoever to be used or intended to be used as a stock yards or a place or places where hogs, cattle, sheep, horses or other live stock of any kind may be kept, stored, cared for or otherwise handled and disposed of, and to be used or intended to be used as a common sales yard, or stock yards, wherein shall be carried on the general business of handling, feeding, selling or otherwise disposing of hogs, cattle, sheep, horses or other live stock of any kind whatsoever.

Sec. 2. It shall be unlawful for any person, firm or corporation to engage in or carry on the general business of handling, feeding, selling or otherwise disposing of hogs, cattle, sheep, horses or other live stock of any kind whatsoever at any yards, buildings, pens or structures of any kind whatsoever hereafter located, erected, constructed or built within the corporate limits of the city of Indianapolis, to be used or intended to be used as a common sales yard, or stock yards, wherein shall be carried on the general business of handling, feeding, selling or otherwise disposing of hogs, cattle, sheep, horses or other live stock of any kind whatsoever.

Sec. 3. Any person, firm or corporation, or any member or officer thereof, violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than \$100 nor more than \$500, to which may be added imprisonment for any period not exceeding ninety days; and each day's continuance of such violation of this ordinance shall constitute a separate offense.

Sec. 4. This ordinance shall be in full force and effect from and after its passage, and publication thereof one day each week for two successive weeks in the Daily Reporter, a daily newspaper of general circulation printed and published in the city of Indianapolis, Marion county, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Meyer:

G. O. No. 13, 1902: An ordinance requiring the Belt Railroad of Indianapolis to station and maintain a flagman at Singleton street, where the tracks of said company cross the same, providing a penalty for violation thereof, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Belt Railroad of Indianapolis be, and the same is hereby directed and required to provide, station and maintain a flagman at Singleton street where the railroad tracks of said company cross said Singleton street, to signal all trains that cross such street between the hours of 6 o'clock a. m. and 6 o'clock p. m. of each day, and to give notice and warning to the general traveling public passing along said street and crossing said tracks of said company of the approach of all trains, cars and engines running and operating over and upon said tracks at said crossing.

Sec. 2. If said company shall fail or refuse to station, maintain and provide a flagman at said crossing as required in the foregoing section, it shall, upon conviction thereof, be fined in any sum not exceeding one hundred (\$100) dollars, nor less than ten (\$10) dollars; and each day's continuance of such failure or refusal shall constitute a separate offense.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two consecutive weeks in the Daily Reporter, a daily newspaper of general circulation, printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Railroads.

By Mr. Billingsley:

G. O. No. 14, 1902: An ordinance changing the name of that portion of Cornell avenue extending from Twenty-first street north to Twenty-third street, to the name of "Bellefontaine street", and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That that portion of the street now known and designated as "Cornell avenue," which extends from Twenty-first street north to Twenty-third street, shall hereafter be known and designated as "Bellefontaine street."

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Shea:

G. O. No. 15, 1902: An ordinance providing for treatment of consumptives at the City Hospital.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it is hereby made the duty of the Superintendent of the City Hospital and the Board of Public Health of the city of Indianapolis, to prepare, establish and equip a ward, in the City Hospital of said city, for the purpose of treating and rendering medical assistance to all persons, residents of said city, who are afflicted with or suffering from consumption, who shall apply to said institution for care and treatment.

Sec. 2. That hereafter, when any person resident of the city of Indianapolis, who shall be afflicted with or suffering from consumption, that if such person so suffering with said disease shall apply to said institution for treatment, care and medical assistance, it is hereby made the duty of the Superintendent of said institution, or those in charge thereof, to admit said applicant so afflicted as aforesaid, and to shelter, treat and care for, and render medical assistance to said applicant.

Sec. 3. It is hereby made the duty of the Board of Public Health of said city and Superintendent of the City Hospital, to purchase all necessary equipments and medical instruments to properly establish and equip a ward in said institution for said purpose.

Sec. 4. For the purpose of raising revenue to properly carry the provisions of this ordinance into effect and execution hereof, the sum of one thousand and five hundred (\$1,500) dollars is hereby expressly appropriated for said purpose.

Which was read a first time and referred to Committee on Public Health.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 3, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 3, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holiday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

On motion of Mr. Wynne the following entitled ordinance was taken up and read a second time:

G. O. No. 6, 1902: An ordinance transferring certain funds from certain funds heretofore appropriated to and for the use of the Department of Public Parks of the city of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 6, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holiday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

On motion of Mr. Warweg, the following entitled ordinance was taken up and read a second time:

G. O. No. 11, 1902: An ordinance requiring the Lake Erie and Western Railroad Company, the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, and the Chicago, Indianapolis and Louisville Railway Company, to station a flagman at the crossing of East New York street and the railway tracks of said companies, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

On motion of Mr. Crall, G. O. No. 11, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holiday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

On motion of Mr. Sourbier, the Common Council, at 8:30 o'clock, adjourned.



W. Rhodes

President pro tem.

ATTEST:



C. W. Elliott

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

FRIDAY, February 7, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Friday evening, February 7, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

INDIANAPOLIS, February 6, 1902.

To Charles N. Elliott, City Clerk, President, and Members of the Common Council:

Gentlemen—Pursuant to the rules of the Common Council providing that special meetings may be called by written request of five members, the undersigned members of said Common Council, by virtue of the authority vested in them, as such, hereby notify you that a special meeting of the Common Council of said city is hereby called, to meet at the hour of 7:30 o'clock, on Friday evening, February 7, 1902, in the Council Chamber of said city, for the purpose of acting upon, considering and passing G. O. No. 73, 1901, the same being entitled:

An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing a time when the same shall take effect.

And the City Clerk of said city is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and to make due return of such service at such special meeting.

JAMES D. MORIARITY,
JAMES E. BERRY,
ANDREW H. WAHL,
M. C. KELLY,
GUSTAV J. T. MEYER.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 18 members, viz.: Messrs. Berry, Billingsley, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Messrs. Cooper and Crall.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Eppert, on behalf of the Committee on Ordinances, to which was referred: G. O. No. 73, 1901: An ordinance defining a part of the boundry line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 7, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Ordinances, to which was referred G. O. No. 73, 1901, begs leave to report as follows:

1. We recommend that all that part of Section 1 of said ordinance as printed in the Journal, following the word "to" in the thirtieth (30) line of said section, and preceding the word "all" in the thirty-second (32d) line of said section, be stricken out, and the following be insterted in lieu thereof, to wit: ["The center line of the first alley east of Linwood avenue; thence north along the center line of said last named alley to the center line of the first alley north of Michigan street; thence west along the center line of said last named alley to the center line of Sherman Drive; thence north along the center line of Sherman Drive to the south line of Walnut street; thence west along the south line of Walnut street to the east line of the right of way of the Indianapolis Union Railway & Stock Yards Company; and thence south along the east line of said last named right of way to the place of beginning."]

2. We recommend that the words "Daily Reporter" be inserted in the blank spaces occurring in the 2d and 3d lines of Section 2 of said ordinance as printed in the Journal.

And when so amended we recommend that said ordinance do pass.

FRED W. EPPERT,
W. H. WHEELER,
GUSTAV J. T. MEYER.
Committee.

Which was read, and on motion of Mr. Epperrt, concurred in.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 73, 1901. An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Mr. Crall arrived and took his seat at 8:05 o'clock.

On motion of Mr. Crall, G. O. No. 73, 1901, was then ordered engrossed, read a third time, as amended by committee report, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Noes, 2, viz.: Mr. Billingsley and President Haldeman.

On motion of Mr. Rhodes, the Common Council at 8:10 o'clock, p. m., adjourned.

H. M. Haldeman
President.

Attest:

O. Belliott
City Clerk.



REGULAR MEETING.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, February 17, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, February 17, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 16 members, viz.: Messrs. Berry, Cooper, Crall, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Wahl, Warweg, Wolsiffer, Wynne and Wysong.

Absent 4, viz.: Messrs. Billingsley, Eppert, Sourbier and Wheeler.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, February 4, 1902.

To the City Clerk and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance: "G. O. No. 5, 1902: An ordinance requiring the Indianapolis Union Railway to station a flagman at Bluff avenue where the tracks of said company cross the same."

CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, February 4, 1902.

To the City Clerk and Members of the Common Council:

Gentlemen—I have this date signed and approved the following ordinances:

G. O. No. 6, 1902: "An ordinance transferring certain funds from certain funds, heretofore appropriated to and for the use of the Department of Public Parks of the city of Indianapolis, and fixing a time when same shall take effect."

G. O. No. 11, 1902: "An ordinance requiring the Lake Erie & Western Railroad Co., the Cleveland, Cincinnati, Chicago & St. Louis Railroad Co., and the Chicago, Indianapolis & Louisville Railroad Co. to station a flagman at the crossing of East New York street and the railroad tracks of said companies; fixing a penalty for the violation thereof, and fixing a time when same shall take effect."

App. O. No. 3, 1902: "An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect."

CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, February 17, 1902.

To the City Clerk and Members of the Common Council:

Gentlemen—I have this date signed and approved G. O. No. 73, 1901: "An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same and annexing to the city of Indianapolis certain territory, providing for the publication thereof, and fixing the time when the same shall take effect."

CHARLES A. BOOKWALTER,
Mayor.

Which communications were read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communications from Board of Public Works:

OFFICE OF CITY CLERK,

City of Indianapolis.

INDIANAPOLIS, February 14, 1902.

To the Department of Board of Public Works:

Gentlemen—I herewith transmit to your honorable Board, recommendations of the Committee on Railroads of the Common Council of Indianapolis pertaining to G. O. No. 8, 1902, being an ordinance ratifying the contract between the city of Indianapolis and the Indianapolis Hominy Mills. The above committee recommended that part of the above contract be changed and on the last page from and after the word "follows;" in the fourth line be made to read as follows: "The

center line of said proposed switch or sidetrack begins at a point in the north line of the right of way of the Union Railway Company, and east on Madison avenue; thence westerly on a curve, six feet south of the north line of the right of way of the Union Railway Company; thence west crossing Madison avenue on a parallel line with the tracks of the Union Railway Company, to a point west of Madison avenue; thence connecting with the tracks of the Union Railway Company on a curve, all as shown by the drawing herewith submitted, and for a greater certainty marked "exhibit B."

CHARLES N. ELLIOTT,
City Clerk.

Whereas, heretofore, to wit: on the 15th day of October, 1901, the Indianapolis Hominy Mills, by Hervey Bates, President, filed their petition before the Board of Public Works of the City of Indianapolis, as follows:

INDIANAPOLIS, October 15, 1901.

To the Honorable Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Indianapolis Hominy Mills, respectfully petitions your honorable body, asking permission to construct and maintain one switch or sidetrack across Madison avenue at and adjoining on the north the Belt Railroad, the exact location of said proposed sidetrack or switch being more specifically described as follows: The center line of said proposed switch or sidetrack begins at a point in the east line of Madison avenue six (6) feet north of the north line of the right of way of the Union Railway Company; thence westerly, crossing Madison avenue on a curve connecting with said Union Railway Company's track, all as shown by the drawing herewith attached and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,
INDIANAPOLIS HOMINY MILLS,
By Hervey Bates, President.

And, Whereas, later, to wit, on the 17th day of February, 1902, the Indianapolis Hominy Mills, by Hervey Bates, President, filed an amended petition before the said Board of Works as follows:

INDIANAPOLIS, February 17, 1902.

To the Honorable Board of Public Works of the City of Indianapolis.

Gentlemen—The undersigned, the Indianapolis Hominy Mills, respectfully petitions your honorable body, asking permission to construct and maintain one switch and sidetrack across Madison avenue at and adjoining on the north the Belt Railway, the exact location of said proposed sidetrack or switch being more specifically described as follows: The center line of said proposed sidetrack or switch begins at a point in the north line of the right of way of the Union Railway Company's right of way and east of Madison avenue; thence westerly on a curve to a point six (6) feet south of the north line of the right of way of the Union Railway Company; thence west, crossing Madison avenue on a line parallel with the tracks of the Union Railway Company to a point west of Madison avenue; thence connecting with the tracks of the Union Railway Company on a curve, all as shown by the drawing herewith submitted, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privileges herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

INDIANAPOLIS HOMINY MILLS,

By Hervey Bates, President.

Now, Therefore, This Agreement, made and entered into this 17th day of February, 1902, by and between Indianapolis Hominy Mills, by Hervey Bates, President, of the City of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That said party of the first part, being desirous of securing a right of way for a switch or sidetrack over and across Madison avenue, in the city of Indianapolis, as more specifically described in the petition of said party of the first part hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles, or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade, which may, from time to time, be hereafter established, whensoever ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects Madison avenue shall at all times be kept improved and in repair, and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal, and in removing said sidetrack or switch, or in causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between such sidetrack or switch, from property line to property line, of Madison avenue, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed or become in any way defective (of which facts the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the

same to be done at the expense of said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said sidetrack or switch, and to pay any judgment and costs that may on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it, or at its instance, or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause at the pleasure of said Board, as hereinbefore set forth in Clause four (4).

Said party of the second part by virtue of the provisions of an act of the General Assembly of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," Approved March 6th, 1891, and in consideration of the things hereinbefore set forth and upon the terms and conditions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay a single switch or sidetrack across Madison avenue in the city of Indianapolis, as follows:

The center line of said proposed switch or sidetrack begins at a point in the north line of the right of way of the Union Railway Company and east of Madison avenue; thence westerly on a curve to a point six (6) feet south of the north line of the right of way of the Union Railway Company; thence west, crossing Madison avenue on a line parallel with the tracks of the Union Railway Company to a point west of Madison avenue; thence connecting with the tracks of the Union Railway Company on a curve, all as shown by the drawing hereto attached and made a part hereof and for greater certainty marked "Exhibit A."

In witness whereof we have hereunto set our hands this 17th day of February, 1902.

INDIANAPOLIS HOMINY MILLS,

By Hervey Bates, President,

Party of the first part.

City of Indianapolis.

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works, Party of the second part.

Which was read and referred to Committee on Railroads.

Mr. Sourbier arrived and took his seat.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, February 17, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith G. O. No. 16, 1902, ratifying a contract entered into the 14th day of February, 1902, by and between the Marion County Hot Water Heating Company and the city of Indianapolis, by and through its Board of Public Works, granting to the said Marion County Hot Water Heating Company the right to use the

streets and other public places of the city for distributing hot water, heat, steam and electricity, for your consideration and action.

Respectfully submitted,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

DEPARTMENT OF PUBLIC WORKS.

Office of the Board,

INDIANAPOLIS, February 17, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith G. O. No. 17, 1902, ratifying a contract entered into this day by and between Thomas Rodibaugh and the City of Indianapolis, by and through its Board of Public Works, granting to said Thomas Rodibaugh the right to construct and maintain a switch or sidetrack in Lafayette street and across Smith street in the city of Indianapolis, for your consideration and action.

Respectfully submitted,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Holliday, on behalf of Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 14, 1902: An ordinance changing the name of that portion of Cornell avenue extending from Twenty-first street, north to Twenty-third street, to the name of "Bellefontaine street," and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 17, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Sewers, Streets and Alleys, having had G. O. No. 14, 1902, under consideration, begs leave to recommend that same do pass.

J. S. HOLLIDAY,
T. A. WYNNE,
W. A. RHODES,
A. H. WAHL.

Which was read and on motion of Mr. Crall, concurred in.

ORDINANCES ON SECOND READING.

On motion of Mr. Holliday, the following entitled ordinance was taken up and read a second time:

G. O. No. 14, 1902: An ordinance changing the name of that portion of Cornell avenue extending from Twenty-first street north to Twenty-third street, to the name of "Bellefontaine street", and fixing the time when the same shall take effect.

On motion of Mr. Holliday, G. O. No. 14, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Cooper, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, 1, viz.: Mr. Kelly.

Mr. Billingsley arrived and took his seat.

On motion of Mr. Negley, the Common Council returned to the following order of business:

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced.

By the Board of Public Works:

G. O. No. 16, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and Marion County Hot Water Heating Company, whereby said Marion County Hot Water Heating Company, its successors and assigns, is granted the right and authority to enter upon and use the streets, alleys, and public places of, and within, the city of Indianapolis, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, heat, steam, and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit, on the 14th day of February, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with Marion County Hot Water Heating Company, namely:

This agreement made this 14th day of February, 1902, by and between the city of Indianapolis, by and through its Board of Public Works, party of the first part, and the Marion County Hot Water Heating Company, a corporation, under the laws of the State of Indiana, party of the second part, witnesseth,

That the party of the first part does hereby grant unto the party of the second part, its successors and assigns, subject to any laws and ordinances now in force, or hereafter enacted or put in force as police regulations, authority and permission to use the streets, alleys and public places of and within the city of Indianapolis as bounded at any time during the life of this grant, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, steam and electricity, or either thereof, for heat, light or power, or either thereof, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any thereof, which grant is and shall be upon the following terms and conditions, that is to say:

(1) The stations for generating or creating heat, power or light for distribution may be established and maintained by the second party upon ground owned or leased by it at suitable points in said city; and all buildings, structures, machinery and appliances shall conform to the fire and building ordinances of said city, and shall be at all times subject to inspection and all reasonable regulations of the Common Council.

(2) Whenever the second party shall desire to construct any appliances for the distribution of heat, power or light, as aforesaid, through the territory to be supplied by such stations, respectively, it shall prepare and place on file in the office of the Board of Public Works of said city, maps, plans and specifications of such proposed construction, which specifications shall include all excavations and all underground and overhead apparatus and appliances of every kind and description, showing the exact location of all poles, pipes, conduits, ducts and other appliances, the height above or the depth below the surface of the streets, and, in general, where and how such is to be done, and shall conform in all respects to the provisions of this contract and any ordinance of the Common Council relating to the public safety and health; which maps, plans and specifications shall be approved without unnecessary delay by the said Board of Public Works, and to permit for cutting into the streets, alleys and public places issued to said party of the second part, before such work shall be begun. Alleys, instead of streets, shall be used whenever practicable. And all poles, wherever erected in the construction of said plant, shall be so placed as to interfere as little as possible with other public uses of the streets, alleys or other grounds, or with public or private interests or conveniences. The Board of Public Works shall have the power to designate at what point in the street, alley or public place shown upon such maps, plans and specifications, the trenches, conduits, poles or other appliances used by said second party in the distribution of heat, light or power shall be located. In case of a dispute between any property owner and said second party as to the location of any of the appliances aforesaid, the decision of the Board of Public Works as to such location shall be final. And there shall be placed underground all wires, cables, conduits, ducts and appurtenances for the distribution of heat, power or light, as aforesaid, in all the territory bounded on the north by North street, on the south by South street, on the east by East street and on the west by West street, except such aerial poles, cables and wires as the said Board of Public Works shall give its express permission to be allowed in such territory for local distribution.

(3) Upon filing any such maps, plans and specifications, and their approval, as aforesaid, said party of the second part may make the specified excavations and lay the specified pipes, conduits, wires and other appliances underground, and in those parts of the city outside of the territory bounded on the north by North street, on the south by South street, on the east by East street and on the west by West street, may erect and construct the specified poles, wires and overhead appliances, all with suitable and safe connections and appurtenances to constitute an entire plant, which said second party may thereafter maintain, repair, improve, extend, add to and operate during the life of this grant, subject to its terms and conditions.

(4) It is agreed by the parties hereto, that by fixing the area within which the conduits, ducts and wires of said plant shall be placed underground, the right of the Common Council to hereafter exercise any of the police powers of said city shall not be in anywise restricted or abridged.

(5) It is also agreed that all the underground wires, conduits, pipes, ducts and appliances used in the construction of said plant, shall be placed at such depth that the top of all parts thereof shall be not less than two feet below the surface of the street, alley or public place wherein they are located, and shall be so located and constructed as not to interfere with or disturb existing surface or underground structures, conduits, pipes or other property belonging to other corporations, companies, or persons, or sewers, or sewer connections; nothing contained herein shall preclude the said city from prosecuting or authorizing any future public work of any character, but in the prosecution of any public work or improvement hereafter the said Board shall have the right, if it deems the same necessary, to require the temporary removal of any wire, pipe, conduit, duct or appliance, authorized by this contract to be laid, and the same shall be removed, or necessary changes made therein by the said second party so as to conform according to the terms of this contract, with the surface grade of any unimproved street, alley or public place ordered to be improved on the order and requirement of the said Board, and in case of a failure on the part of the said second party to comply with any such order or requirement, then, the said Board may make such removal or change, and the necessary cost thereof shall be paid by second party to the City Comptroller upon proper demand being made therefor.

(6) It is also agreed that all the work of the construction or repair of that part of the second party's plant that is located in any of the streets, alleys or public places of said city shall be under and subject to the supervision of inspectors to be appointed by the said Board of Public Works, the said inspectors to be appointed and to begin the inspection and supervision of said work or repair as soon as the said second party shall have completed the excavations therefor, and all the necessary expense for the employment of all such inspectors shall be paid by the said party of the second part to the City Comptroller, on demand. The Board of Public Works of said city shall at all times have the right to inspect, superintend, and control the construction of the conduits, manholes, and other appurtenances which may be constructed as part of said plant; and the right is hereby reserved to said Board to order any change made from time to time for city purposes; all such changes to be made by the said second party without expense to said city. In case the said party of the second part shall neglect or refuse to obey any instructions of said Board with respect to any alteration to be made, the said Board is authorized to make the same, and collect the cost thereof from the said party of the second part.

(7) The said company, party of the second part, agrees and binds itself that in the construction or repair of said plant, it will not at any

time open or encumber more of any street, alley or public place than may be necessary to enable it to perform the work of laying its pipes, wires, cables, conduits, conductors, and other appurtenances with proper economy and efficiency, and that no opening of or encumbrance to any such streets, alleys or public places, shall be permitted to remain, or continue for a longer period than may be necessary within the judgment of the Board of Public Works; and that it will properly and effectually guard all such openings and encumbrances with such barriers and lights as will prevent the happening of accidents or injuries by reason thereof. The said company, party of the second part, also agrees and binds itself to hold the city of Indianapolis harmless as against any and all damages done by it to the streets, alleys, avenues and public places within such city, in the building of, and construction of its said plant, underground or aerial; that it will restore all streets, alleys, avenues and public places to the same condition after the completion of its work as they were before being cut into or used by it—the said company—all such streets, alleys, avenues and public places to be repaved with the same material with which they were paved before being disturbed by it, or, with such material, and in such manner as shall be satisfactory to said Board of Public Works; that it will at all times make any and all repairs which may be necessary to any of the streets, alleys, avenues or public places by reason of the same having been digged into or disturbed in the construction or repair of said plant; that it will not, in such construction or repair, dig, cut into or remove material from the surface or underneath the surface of any such street, alley, or public place, without having first prepared and filed with the Board of Public Works, maps, plans and specifications as herein provided, and obtained the consent of said Board; that it will pay all damages for personal or other injuries that may result from, or grow out of any work that may be done by or for it in such construction, or repair; that it will indemnify and save said city harmless from any and all liability or expense growing out of, or resulting from the construction or repair of any part of its plant; that it will, upon the demand of the City Comptroller of said city, pay any damages which may have accrued to said city and any and all judgments which may have been obtained and rendered against such city on account, and by reason of the construction or repair of such plant, or the occupancy by it of any of the streets, alleys or public places in said city; that if the said city shall become involved in any action or suit on account of any act or omission of said second party in the construction or operation of its said plant, it will, upon notice from said city, or its proper officers, appear and defend such action or suit, without expense to the said city; and that it will also protect and save said city of Indianapolis harmless as against any and all suits which may be brought by any person or corporation for the infringement of any patent which may be alleged against such corporation, either in the course of the construction or operation of the said plant, or system.

(8) In the equipment of the stations of the party of the second part, it shall employ the most modern and effective appliances for the consumption or suppression of the smoke from its furnaces or other heating apparatus; and in the distribution of electricity for light or power, the most modern and effective equipment and appliances shall be used to prevent damages therefrom.

(9) The said party of the second part shall have the right to tap or connect with any sewer in any street, alley or public place occupied by any of the pipes, casings or appliances of the party of the second part, for the purpose of draining such pipes, casings and appliances and the trenches in which they are laid, provided, plans and specifications, showing where and how such tapings or connections shall be made

have been first filed with and approved by the Board of Public Works and a permit issued therefor, all of which work shall be done under the supervision of inspectors appointed by said Board as provided in Section 6 of this contract.

(10) Before beginning the work of construction by the party of the second part, it shall execute to the party of the first part to the approval of its Board of Public Works, a good and sufficient bond in the sum of twenty-five thousand (\$25,000) dollars, which bond shall be conditioned for the faithful performance by said company, party of the second part, of each and every stipulation and agreement contained in this contract, and for the carrying out of all the terms and conditions thereof during the entire period and term covered thereby; and the said Board of Public Works shall have the right at any time during said period, whenever the surety on said bond shall not be deemed ample and satisfactory, or said bond has been impaired by money payment thereon, to require such additional surety thereon as it may deem necessary, and if said company, party of the second part, shall, on written demand of such Board, refuse or fail to furnish such additional surety, then, its rights under this contract shall cease and the franchise hereby granted be forfeited, and such forfeiture to be enforced in any court of competent jurisdiction.

(11) Upon the execution and approval of this contract, the Board of Public Works shall select and bound a territory for the first plant, which territory shall not exceed one mile square and shall contain not less than eight hundred buildings; and the second party agrees, unless prevented without fault of its own, that it will, within one hundred and eighty (180) days after the selection and bounding of said territory, commence to construct such first plant and that it will have such plant substantially completed and ready for operation within one (1) year after commencing the construction thereof. And for the faithful performance of the stipulations on behalf of party of the second part in this, the 11th paragraph of this contract, the second party shall execute a bond to the approval of the Board of Public Works in the sum of ten thousand (\$10,000.00) dollars. Additional territory may thereafter be occupied by said second party, or the first plant extended to additional territory, subject to the terms and conditions of this contract.

(12) It is agreed that the annual rate which the second party may charge to the consumers of hot water heat supplied by it shall not exceed seventeen (17) cents per square foot of radiating surface in use by any customer, said charge to be divided according to seasons and time of payment as may be determined by the party of the second part; the radiation to be ascertained by measuring the surface of the radiators or pipes used by the customers for heating.

(13) The rate to be charged by the second party for incandescent electric lighting shall not exceed ten (10) cents per thousand watts, to be paid as may be required by the second party.

(14) It is agreed, that to any consumer whose radiation is sufficient under the regulations of the company and to whom insufficient heat is supplied to maintain uniformly a maximum temperature within the room where such radiation is supplied, of seventy degrees Fahrenheit, there shall be allowed by such company, from the charges against such consumer, a discount justly proportioned to the loss in temperature below said maximum: Provided, however, That there shall be no charge against such consumer for such time during the months of October, November, December, January, February, March and April, when such temperature shall fall below fifty-five (55) degrees Fahrenheit: And provided, also, That such discounts shall not be required where the company has not been notified in writing of such insufficiency of heat and given an opportunity to discover the cause, and, if

due to the company's service, to remedy the same, nor shall it be required where the cause is due to defective radiation or the violation of the company's rules for receiving and distributing the heat, or to defective construction of building, or to any fault of the consumer.

(15) It is further agreed, in consideration of the privileges herein granted by the first party, that the second party will pay annually at the close of each fiscal year of the party of the second part, to the party of the first part, the sum of five per centum of the gross receipts derived by the party of the second part for the furnishing of hot water heating and incandescent electric lighting, under the provisions of this contract. And it is agreed that the party of the second part shall, at the close of said fiscal year, render to the first party, a full statement of such gross receipts, verified by the proper officer of said company. In the event that doubt shall arise as to the accuracy of any such statements, it is agreed that the Comptroller of said city shall have access to and privilege of examining the books of the party of the second part and determining therefrom the amount of such gross receipts, and the sum by him ascertained shall constitute the basis for said per centum charge.

(16) All rights, privileges and concessions herein granted to the said company, party of the second part, are expressly limited to a period of twenty-five (25) years from the first day of September, 1903, which limitation of time is hereby declared to be one of the considerations for the grants herein contained.

(17) To the end that at the expiration of the said period for which said grant is made there may be no doubts exist as to the respective rights of the parties hereto, it is agreed:

(a) If, at any time, not less than three (3) months nor more than six months before the expiration of said term, a new franchise and right to occupy the streets, alleys, avenues and public places of said city, and to supply hot water, steam and electricity, or either thereof, for heat, light and power, or either thereof, by means of pipes, conduits, wires and appurtenances overhead, or either or any thereof shall not have been granted to said company, its successors or assigns by the proper officers of said city, then, the said city shall have the option to become the purchaser and owner of all the tangible property of said company, by the payment to the corporation then owning the same the fair cash value of such tangible property as constituting an operating plant and system, and in case the said city, through its proper officers and the said corporation, are unable to agree as to the fair cash value, as aforesaid, of such property, the same shall be determined by a committee of three (3) arbitrators, one of whom shall be chosen by the Mayor of said city, one by the said corporation owner, and the third by the two chosen as above, said third member of said committee to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of the parties to said contract, and the finding of the majority of such committee as to such value shall be binding on both the said city and the said corporation, and the said city shall be bound to pay and the said corporation shall be bound to receive the said amount as the purchase price of said property: Provided, That nothing herein contained shall be so construed as that the said city shall be compelled to purchase said tangible property, or any part thereof, unless, by its officers, it shall elect to have the cash value thereof, as aforesaid, appraised as hereinabove provided, and the Common Council of said city shall, at the proper time, have made the necessary appropriation for such purpose.

If said committee of arbitration is selected and act as above, the charges of such committee for services shall be borne equally by the corporation owner and said city.

(b) If, within three (3) months of the expiration of said period of twenty-five (25) years, this contract and the franchise hereby granted shall not have been renewed or extended by a new contract, ratified by ordinance, and if said city shall not have exercised its optional right to purchase the tangible property of said corporation, the said city shall have the right through its proper officers to enter into a contract with, and grant a franchise to, another company or corporation to operate said property upon such terms as may be fixed by such contract for a period commencing on the date of the expiration of the franchise herein granted, and such company or corporation to which such new franchise may be granted, may become the owner of the said tangible property and have the right to operate the same upon the payment by it, to the company, party of the second part, or to whomsoever may then be the owner of such property, the fair cash value thereof as an operating plant and system, and if said company or corporation to which such new franchise is granted, and the corporation owning such property shall be unable to agree as to the fair cash value of said property, as aforesaid, then, the same shall be determined by a committee of three (3) arbitrators to be chosen, one by each of the said corporations and the third by the two so chosen by the parties, said third member to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of said companies or corporations, and the decision of such committee or a majority thereof, shall be final and binding on all parties. The expense of such committee, including their compensation, shall be equally borne, one half by each of said two companies or corporations.

(c) If, at the expiration of said term of twenty-five (25) years, the city of Indianapolis shall not have become the owner of said plant and system, and if the tangible property constituting said plant and system shall not have been sold and delivered to any other company or corporation having a franchise and the right, by a contract with the city, to operate the same, and if this franchise shall not have been renewed or extended as hereinbefore provided, then the said city shall, through its proper officers, proceed to offer by public advertisement, a new franchise for the operation of said plant and system for a term of years, which franchise shall be awarded to the bidder who, being solvent and responsible, offers the most favorable terms for the city, and its citizens, and who will bind himself, themselves or itself, as the case may be, to take the tangible property constituting said plant and system and pay to the corporation then owning the same the fair cash value thereof, as an operating plant, and if the parties can not agree as to the fair cash value of said property, as aforesaid, then the same shall be determined by a committee of three (3) arbitrators to be chosen, one by each of said corporations and the third by the two so chosen by the parties; said third member to be a disinterested and reputable electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his appointment, in the employment of either of said companies or corporations, and the decision of such committee, or a majority thereof, shall be final and binding on the said parties. The expense of such committee, including compensation, shall be equally borne, one-half by each of said two companies or corporations. If, at the expiration of this franchise the same shall not have been extended, or said property disposed of as provided for herein, it is expressly understood and agreed that said company, party of the second part, shall not have the right to tear up any street or alley occupied by it for the purpose of taking up any of the underground property belonging to second party.

(18) The said company, party of the second part, shall give to said city the right to use such poles erected in any part of said city whenever such city shall require the same for the use of the fire alarm or police telegraph systems of said city.

(19) To each of the terms, conditions, provisions, stipulations and requirements of this contract, the city of Indianapolis, by and through its Board of Public Works, party of the first part herein, and the said Marion County Hot Water Heating Company, party of the second part herein, by its duly authorized officers and representatives, do fully agree to and do bind themselves, their successors and assigns.

In testimony whereof we have hereunto set our hands and seals, this 14th day of February in the year 1902, and executed in duplicate.

THE CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of said city.

Approved:

CHARLES BOOKWALTER,

Mayor of said city.

MARION COUNTY HOT WATER HEATING COMPANY,

By CHARLES N. THOMPSON,

Attest:

HENRY KOTHE,

Secretary.

President.

(Seal.)

And, whereas, said contract and agreement has been submitted by said Board of Public Works of the City of Indianapolis to the Common Council of said city for its consideration and action thereon, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the foregoing contract and agreement made and entered into on the 14th day of February, 1902, by the City of Indianapolis, by and through its Board of Public Works, and Marion County Hot Water Heating Company, be and the same is hereby in all things ratified, confirmed and approved, and the said Marion County Hot Water Heating Company, its successors and assigns, are hereby granted the rights, privileges and authority as in said contract and agreement set forth, and in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Board of Public Works:

G. O. No. 17, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and Thomas Rodibaugh, whereby said Thomas Rodibaugh is granted the right to construct and maintain a switch or sidetrack in and along Lafayette street and across Smith street.

Whereas, heretofore, to wit, On the 17th day of February, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with Thomas Rodibaugh, namely:

Whereas, heretofore, to wit: On the 29th day of November, 1901, Thomas Rodibaugh filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

INDIANAPOLIS, November 29, 1901.

To the Honorable Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Thomas Rodibaugh, respectfully petitions your honorable body, asking permission to construct and maintain one switch or sidetrack, along Lafayette street and across Smith street, the exact location of said proposed sidetrack or switch being more specifically described as follows: The center line of said proposed sidetrack or switch begins at a point in the center of the main track of the C. C. C. & St. L. Railway Company, Chicago division. The said point being one hundred and five (105) feet north of the north line of Smith street; thence in a southwesterly direction with a twenty (20) degree curve, to a point in the intersection of the west line of Lafayette street with the south line of Smith street, all as shown by drawing herewith submitted and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

THOMAS RODIBAUGH.

Now, Therefore, This Agreement, made and entered into this day of 1902, by and between Thomas Rodibaugh of the City of Indianapolis, county of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That said party of the first part being desirous of securing a right of way for a switch or sidetrack along Lafayette street and across Smith street, in the City of Indianapolis, more specifically described in the petition of the said party of the first part hereto attached, and made a part of this contract, hereby agrees, covenants and fully binds himself, successor, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons, on foot, in vehicles, or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade, which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of any sidetrack or switch, or the railroad tracks with which sidetrack or switch may be connected.

(3) The crossing where said sidetrack or switch intersects Lafayette street, also Smith street, shall at all times be kept improved and in repair, and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon,

except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of the Board, to take up and remove said sidetrack or switch, and upon his failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claim for damages whatsoever, that may arise by reason of such removal; and in removing said sidetrack or switch, or in causing the same to be done, said Board shall become in nowise a trespasser.

(5) The party of the first part agrees to plank between such sidetrack or switch from the C. C. C. & St. L. Railway Company's tracks to the west property line of Lafayette street, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be, or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do, or cause the same to be done at the expense of the said party of the first part, and for which expense the said party of the first part shall be liable.

(6) The said party of the first part hereby binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance, or use of said sidetrack or switch and to pay any judgment and costs that may, on that account, be rendered against said city.

(7) Any violation of any provision of this instrument by said party of the first part, or anyone for him, or at his instance, or with his permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part by virtue of the provisions of an act of the General Assembly of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency;" approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and conditions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay a single switch or sidetrack, across Lafayette street and Smith street in the city of Indianapolis as follows: The center line of said proposed sidetrack or switch begins at a point in the center of the main track of the C. C. C. & St. L. Railway Company, Chicago division. The said point being one hundred and five (105) feet north of the north line of Smith street; thence in a south-westerly direction with a twenty (20) degree curve, to a point in the intersection of the west line of Lafayette street with the south line of Smith street, all as shown by drawing hereunto attached and made a part hereof, and for greater certainty marked "Exhibit A."

In witness whereof we have hereunto set our hands and seals this.... day of 1902.

THOMAS RODIBAUGH,

Party of the first part.

City of Indianapolis:

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works, party of the second part.

And, Whereas, Said contract and agreement has been submitted by the said Board of Public Works of the City of Indianapolis to the Common Council of said city for its consideration and action thereon, therefor;

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the foregoing contract and agreement made and entered into on the 17th day of February, 1902, by the city of Indianapolis, by and through its Board of Public Works, and Thomas Rodibaugh, be and the same is hereby in all things ratified, confirmed and approved, and the said Thomas Rodibaugh, his successors and assigns, are hereby granted the rights, privileges and authority as in in said contract and agreement set forth, and in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Negley:

G. O. No. 18, 1902: An ordinance changing the names of portions of Lewis street, Malott avenue, Columbia avenue, Hill avenue, Hillside avenue, Valley avenue, Beech street, Lawrence street, Rural street, Bloyd avenue and Glenn Drive, to that of "Roosevelt Avenue." Also changing the name of a portion of Nevada street to that of "Eighteenth Street." Also changing the name of Parker avenue to that of "Winter Avenue." Also changing the name of Holloway avenue to that of "Ingram Street." And fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That all that portion of Lewis street extending from Massachusetts avenue to Malott avenue, and all that portion of Malott avenue extending from Lewis street to Columbia avenue, and all that portion of Columbia avenue extending from Malott avenue to the junction of Hill avenue and East Thirteenth street, and all that portion of Hill avenue extending from Columbia avenue to Hillside avenue, and all that portion of Hillside avenue extending from Hill avenue to Valley avenue, and all that portion of Valley avenue extending from Hillside avenue to Beech street, and all that portion of Beech street extending from Valley avenue to Lawrence street, and all that portion of Lawrence street extending from Beech street to Rural street, and all that portion of Rural street extending from Lawrence street to Bloyd avenue, and all that portion of Bloyd avenue extending from Rural street to Glenn Drive, and all that portion of Glenn Drive extending from Bloyd avenue to Brightwood avenue, shall be changed to and shall hereafter be known and designated as "Roosevelt Avenue."

Sec. 2. And be it further ordained, That all that portion of Nevada street extending from Sheldon street to Hillside avenue, shall be changed to and hereafter known and designated as "Eighteenth Street."

Sec. 3. And be it further ordained, That all that portion of Parker avenue extending from Bloyd avenue to the north end of said Parker avenue be changed to and hereafter known and designated as "Winter Avenue."

Sec. 4. And be it further ordained, That the street now known and designated as Holloway avenue, extending from Valley avenue to Fernway, shall be changed to and hereafter known and designated as "Ingram Street."

Sec. 5. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor of the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

On motion of Mr. Sourbier, the Common Council, at 8:30 o'clock, adjourned.

W. H. Hadden
W. H. Hadden
President.

Attest:

Charles N. Elliott
Charles N. Elliott
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, March 3, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, March 3, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 20 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent, none.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis, .

INDIANAPOLIS, February 26, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance: G. O. No. 14, 1902. An ordinance changing the name of that portion of Cornell avenue extending from Twenty-first street, north to Twenty-third street, to the name of "Bellefontaine street," and fixing the time when the same shall take effect.

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

COMMUNICATIONS FROM CITY COMPTROLLER.

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, March 3, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities, asking for an appropriation of three thousand dollars for the prevention of contagious diseases.

I recommend that an ordinance be passed, appropriating the sum asked for.

Respectfully submitted,

GEO. T. BREUNIG,

City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Health:

INDIANAPOLIS, February 25, 1902.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—Owing to the fact of the unusual prevalence of smallpox at the present time, the special appropriation of \$2,000 has been expended in the care of smallpox patients, and the maintenance of quarantines. A comparison for the months of January and February of former years and that of the present year, will show at a glance the increased number of cases we are caring for at the present time.

January, 1899, there were six cases in the city.

February, 1899, there was one case in the city.

January, 1900, there was one case in the city.

February, 1900, there were two cases in the city.

January, 1901, there were three cases in the city.

February, 1901, there were seventeen cases in the city.

January, 1902, there were thirty-four cases in the city.

February, 1902, to date, forty-eight cases in the city.

We have had forty-two houses under quarantine. Of these, eight were held twenty-eight days, or fourteen days longer than usual, owing to the fact that from one to four cases additional developed on the premises.

Hereto appended is an itemized statement of expenditures, which includes the original appropriation of \$1,000, and the special appropriation of \$2,000. We therefore find it necessary to ask for an additional appropriation of \$3,000, to carry on the work of quarantine and the combating of contagious diseases.

Respectfully submitted,

EUGENE BUEHLER,

City Sanitarian and Sec'y Board of Health.

INDIANAPOLIS, February 24, 1902.

To the City Comptroller:

Dear Sir--Quarantine was established at No. 777 Center street on January 2, 1902.

W. J. Drake worked as guard for twenty-eight and one-half days at the above place, and was paid the sum of....\$42.75
 John Webb worked eighteen nights, and was paid..... 27.00
 Albert New worked ten nights, and was paid..... 15.00

Total paid for guards.....\$84.75

See vouchers No. 3 and No. 11.

Quarantine was established at 517 North West street on January 4, and raised on January 30.

F. E. Beebower worked sixteen days, and was paid.....\$24.00
 A. N. Middleton worked ten days, and was paid..... 15.00
 Geo. Harvey, Jr., worked twenty-six nights, and was paid 39.00

Total paid for guards.....\$78.00

See vouchers No. 3 and No. 11.

Quarantine was established at 508 Roanoke street on January 5, 1902, and raised on January 18.

Frank G. Altschuch worked as guard thirteen days, and was paid the sum of.....\$19.50
 James E. Gillespie worked thirteen nights, and was paid.. 19.50

Total for guards\$39.00

See voucher No. 3.

Quarantine was established in rear of 530 Indiana ave. on December 26, 1901, and was raised on January 24, 1902.

T. T. Oldendorf worked twenty-nine days, and was paid..\$43.50
 Sam Davis worked twenty-nine nights, and was paid.... 43.50

Total paid guards.....\$87.00

See voucher No. 4.

Quarantine was established at 1443 Yandes street on January 11, and raised on February 6.

John Dillon worked fourteen days, and was paid.....\$21.00
 John Kraft worked twenty-six nights, and was paid..... 39.00
 S. D. Wolf worked eleven and one-half days, and was paid 17.25

Total paid guards.....\$77.25

See vouchers No. 4 and No. 75.

Quarantine was established at 826 Scioto street on January 13, and raised on February 15.

Sam Kimble worked thirty-two days, and was paid.....\$48.00
 Jos. C. Little worked nine and one-half days, and was paid 14.25
 Chas. Beaupre worked thirty-two nights, and was paid.. 48.00
 Sam Mails worked eight nights, and was paid..... 12.00

Total for guards.....\$122.25

See vouchers No. 4 and No. 112.

Quarantine was established at 729 Indiana ave. on January 18, and raised on February 3.

Frank G. Altschuch worked sixteen days, and was paid...\$24.00
 Jas. E. Gillespie worked sixteen nights, and was paid.... 24.00

Total paid guards.....\$48.00

See voucher No. 78.

Quarantine was established at 648 North Missouri street on January 20, 1902, and was raised on February 2nd.

Robert Burns worked thirteen nights, and was paid...\$19.50
 Geo. Roberts worked thirteen days, and was paid..... 19.50

Total for guards.....\$39.00

See voucher No. 78.

Quarantine was established at 527 North California street on January 21, and raised on February 18.

C. O. Dosh worked twenty-nine days, and was paid.....\$43.50
 Ambrose Drake worked twenty-eight nights, and was paid 42.00

Total for guards.....\$85.50

See voucher No. 115.

Quarantine was established at 431 Hiawatha street on January 21, and raised on February 5.

Chas. Funk worked two and one-half days, and was paid.\$ 3.75
 John Hanlon worked twelve days, and was paid..... 18.00
 J. L. Finley worked fifteen nights, and was paid..... 22.50
 James Brooks worked fifteen nights, and was paid..... 22.50

Total for guards.....\$66.75

See vouchers No. 4 and No. 77.

Quarantine was established at No. 20 North Beville ave. on January 22, 1902, and was raised on February 20.

P. H. McCoy worked thirty days, and was paid.....\$45.00
 Geo. Pierce worked twenty-nine nights and was paid.... 43.50

Total for guards.....\$88.50

See voucher No. 118.

Quarantine was established at 407 Waldon street on January 22, and raised on February 5th.

Grant Courtney worked fourteen days, and was paid....\$21.00
 Frank Keeler worked fourteen nights, and was paid..... 21.00

Total for guards.....\$42.00

See Voucher No. 77.

Quarantine was established at 357 Lafayette Place, January 22, and was raised on February 8th.

Wm. Moffett worked seventeen nights, and was paid....\$25.50
 Ed. White worked seventeen days, and was paid..... 25.50

Total for guards.....\$51.00

See voucher No. 110.

Quarantine was established at 1812 Woodlawn ave. on January 22, and was raised on February 22, 1902.

Samuel Hand worked fifteen nights, and was paid.....	\$22.50
William Richter worked thirty and one-half nights, and was paid	45.75
John Hanlon worked sixteen nights, and was paid.....	24.00
Total for guards.....	<u>\$92.25</u>

See vouchers No. 75 and No. 119.

Quarantine was established in the rear of No. 263 West St. Clair street on January 23, and was raised on February 5, 1902.

Joseph C. Little worked thirteen days, and was paid.....	\$19.50
Samuel Mails worked fourteen nights and was paid.....	21.00

Total for guards.....	<u>\$40.50</u>
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See voucher No. 75.

Quarantine was established at 2410 Station street on January 24, and raised on February 6.

Courtland Ball worked thirteen and one-half days, and was paid	\$20.25
E. D. Millette worked thirteen nights and was paid.....	19.50

Total for guards	<u>\$39.75</u>
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See voucher No. 75.

Quarantine was established at 923 North Alabama street on January 24th, 1902, and was raised on February 17th.

Marion Kneff worked twenty-four and one-half days, and was paid	\$36.75
Wm. Lanagan worked twenty-four nights, and was paid..	36.00

Total for guards.....	<u>\$72.75</u>
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See voucher No. 114.

Quarantine was established at 1024 Canal street on January 24th, and raised on February 19th.

Chas Funk worked four and one-half days, and was paid \$	6.75
Joe Raible worked twenty-six nights, and was paid.....	39.00
Thomas Matthews worked twenty-two days, and was paid	33.00

Total for guards	<u>\$78.75</u>
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See vouchers No. 78 and No. 115.

Quarantine was established at 1316 Harlan street on January 24th, and raised on February 5th.

Thomas Tracey worked twelve days, and was paid.....	\$18.00
Lee Nogle worked twelve nights, and was paid.....	18.00

Total for guards.....	<u>\$36.00</u>
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See voucher No. 74.

Quarantine was established at 30 North New Jersey street on January 24th, and raised on February 6th.

Henry Kiefer worked thirteen nights, and was paid.....\$19.50

A. N. Middleton worked thirteen days, and was paid..... 19.50

Total for guards.....\$39.00

See voucher No. 75.

Quarantine was established at 323 West Fourteenth street on January 28th, and was raised on February 10th.

William Partee worked thirteen days and was paid.....\$19.50

Adolph Cuble worked thirteen nights, and was paid..... 19.50

Total for guards.....\$39.00

See voucher No. 110.

Quarantine was established at 543 Indiana avenue on January 30th, and was raised on February 7th.

Ernest Sanders worked eight nights, and was paid.....\$12.00

James Lee worked seven days, and was paid 10.50

Total for guards.....\$22.50

See voucher No. 110.

Quarantine was established at 1014 Hadley street on January 31st, and raised on February 20th.

Andy Kane worked one night, and was paid.....\$ 1.50

William Simcoe worked twenty days, and was paid..... 30.00

J. R. Seaman worked twenty nights, and was paid..... 30.00

Total for guards.....\$61.50

See voucher No. 118.

Quarantine was established at 831 West Eleventh street on February 1st, and was raised on February 14, 1902.

T. T. Oldendorf worked thirteen days, and was paid.....\$19.50

Sam Davis worked thirteen nights, and was paid..... 19.50

Total for guards.....\$39.00

See voucher No. 112.

Quarantine was established at 1064 West McCarty street on February 1st, and was raised February 19th, 1902.

Sam Alexander worked eighteen and one-half days and was paid\$27.75

Andy Kane worked eighteen nights, and was paid..... 27.00

Total for guards.....\$54.75

See voucher No. 116.

Quarantine was established at 613 Patterson street on February 2d, and was raised on February 14th.

Albert Clinger worked twelve days, and was paid.....\$18.00

Henry Beasley worked twelve nights, and was paid..... 18.00

Total for guards.....\$36.00

See voucher No. 112.

Quarantine was established at 307 West Fifteenth street on February 3d, and was raised on February 11th.

Frank G. Altschuch worked nine days, and was paid.....\$13.50
Jas. E. Gillespie worked eight nights and was paid..... 12.00

Total for guards.....\$25.50

See voucher No. 112.

Quarantine was established at 852 Torbett street on February 3rd, and raised on February 15th.

Harry S. Ingram worked twelve days, and was paid.....\$18.00
James A. Noblett worked twelve nights and was paid.... 18.00

Total for guards.....\$36.00

See voucher No. 112.

Quarantine was established at 2236 Station street on February 3rd, and raised on February 17th.

F. E. Beehower worked fourteen and one-half days, and
was paid\$21.75
Robert Alexander worked fourteen nights, and was paid.. 21.00

Total for guards.....\$42.75

See voucher No. 114.

Quarantine was established at 1105 McLain street on February 5th, and raised February 19th.

Frank W. Prinz worked fifteen days, and was paid.....\$22.50
Harry L. Veach worked fourteen nights, and was paid.... 21.00

Total for guards.....\$43.50

See voucher No. 116.

Quarantine was established at 1619 Northwestern avenue on February 5th, and raised on February 19th.

W. W. Veach worked fourteen days, and was paid.....\$21.00
J. H. Westfield worked two nights, and was paid..... 3.00
Ed. Hand worked twelve nights and was paid..... 18.00

Total for guards.....\$42.00

See vouchers No. 109 and No. 115.

Quarantine was established at 1647 Arrow avenue on February 7th, and was raised on February 20th.

Robert Smith worked thirteen and one-half days and was
paid\$20.25
Edward Barnes worked thirteen nights, and was paid.... 19.50

Total for guards.....\$39.75

See voucher No. 118.

Quarantine was established in the rear of 1111 Park avenue on February 8th, and was raised on February 22d.

John S. Hadley worked fourteen days, and was paid.....\$21.00
Wm. H. Whitaker worked fourteen nights, and was paid.. 21.00

Total for guards.....\$42.00

See voucher No. 119.

Quarantine was established at 1414 Booker Alley, on December 14, 1901, and was raised on December 30, 1901.

Joseph Wiel worked one night, and was paid.....	\$1.50
Frank W. Keeler worked fifteen nights, and was paid....	22.50
Joe C. Little worked sixteen days, and was paid.....	24.00

Total for guards.....	48.00
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See voucher No. 2.

Quarantine was established at 769 Center street on December 18, 1901, and was raised on January 1, 1902.

Joseph C. Wiel worked fifteen days, and was paid.....	\$22.50
Frank G. Altschuch worked nine nights, and was paid....	13.50

Total for guards.....	\$36.00
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See voucher No. 2.

Quarantine was established at 214 Toledo street on November 26, 1901.

F. E. Beebower worked ten and one-half days from December 26, to January 4, 1902, inclusive, making ten and one-half days, and was paid.....	\$15.75
H. C. Tuttle worked ten nights, and was paid.....	15.00

Total for guards.....	\$30.75
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See vouchers No. 2 and No. 3.

Andy D. Lotshaw, Special Smallpox Inspector, worked nineteen days and was paid, voucher No. 117.....	\$ 42.75
Voucher No. 79, Mary Dacy, smallpox nurse, pest house..	205.00
Voucher No. 80, Hogan Transfer Co., hauling stove.....	.50
Voucher No. 81, Indianapolis Drug Co., vaccine and antitoxine	35.00
Voucher No. 82, O. F. Calvin, provisions, quarantine station	88.60
Voucher No. 83, Ernest Johnson, one bale straw, quarantine tent.....	.45
Voucher No. 84, Bliss, Swain & Co., one rubber coat....	3.00
Voucher No. 85, W. T. Clune, quarantine stoves.....	27.50
Voucher No. 86, Carpenters' Union, lumber for emergency tent	13.13
Voucher No. 87, H. Efrymson, smallpox stove.....	2.60
Voucher No. 88, Horace F. Wood, horse hire for June, July, August and September, 1901.....	75.00
Voucher No. 89, A. Kiefer Drug Co., formaldehyde.....	25.33
Voucher No. 90, Vonnegut Hardware Co., stovepipe....	1.45
Voucher No. 91, H. E. Zimmer, vaccine and antitoxine....	22.50
Voucher No. 92, S. P. Hamilton, transferring stoves....	1.00
Voucher No. 93, J. A. Robinson, groceries for quarantine	63.47
Voucher No. 94, W. B. Reynolds, coal for quarantine tents	16.00
Voucher No. 95, W. G. Mock, coal for quarantine.....	3.50
Voucher No. 96, M. Steinhauer, coal for quarantine....	62.70
Voucher No. 97, Indianapolis Tent and Awning Co., rent of tents	30.00
Voucher No. 98, Strawmeyer Nilius, one set of harness..	19.18
Voucher No. 99, A. J. Johr, one handy wagon.....	45.00
Voucher No. 100, W. B. Reynolds, supplies, pest house....	5.30

Voucher No. 101, Hitz Bakery, bread, pest house.	\$ 4.00
Voucher No. 102, Bliss, Swain & Co., clothing for pest house patients	22.90
Voucher No. 103, Jacob Woessner, meat furnished pest house	14.27
Voucher No. 104, Standard Real Estate Co., rent of house, Redmond street	10.00
Voucher No. 105, H. W. Miller, milk furnished pest house	14.04
Voucher No. 106, H. P. Wasson & Co., dry goods furnished pest house in February, 1902.....	55.71
Voucher No. 107, John Uhl, meats furnished pest house..	78.92
Voucher No. 108, John O'Neil, flour, pest house.....	3.70
Voucher No. 5, C. C. Martindale, work on emergency tent	2.80
Osias Hinchman, work on emergency tent.....	2.75
A. O. Despoe, work on emergency tent.....	2.60
Voucher No. 111, Amelia Cook, work at quarantine.....	6.00
Voucher No. 113, C. C. Martindale, work on pest house kitchen	11.20
John Clark, work on pest house kitchen.....	9.80
A. O. Despoe, work on pest house kitchen.....	9.10
John Porter, work on pest house kitchen.....	7.80
Osias Hinchman, work on pest house kitchen.....	2.75
William Reed, work on pest house kitchen.....	2.78
Frank Given, work on pest house kitchen.....	2.78

Total\$46.21

Total expended, \$2,999.96.

Quarantines are now established at 1250 Lee street, 413 Muskingum street, 1316 Harlan street, 626 Douglass street, 1418 North Senate avenue, 312 Osage street, and 978 West Washington street.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Negley, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 16, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works and Marion County Hot Water Heating Company, whereby said Marion County Hot Water Heating Company, its successors and assigns, is granted the right and authority to enter upon and use the streets, alleys, and public places of, and within the city of Indianapolis, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, heat, steam, and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or

either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, March 3, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Contracts and Franchises, to whom was referred G. O. No. 16, 1902, have had the same under consideration, and after due deliberation, we recommend that the same do pass.

H. E. NEGLEY,
J. L. McFARLAND,
LEW W. COOPER,
J. S. HOLLIDAY.

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Cooper, on behalf of Committee on Railroads, to which was referred G. O. No. 7, 1902: An ordinance approving a certain contract granting Burnet & Lewis the right to lay and maintain a switch or sidetrack across Van Buren street, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, March 3, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to whom was referred G. O. No. 7, 1902, recommend that same do pass.

LEW W. COOPER,
J. H. BILLINGSLEY,
T. A. WYNNE,
JNO. WOLSIFFER,
J. S. HOLLIDAY.

Which was read and, on motion of Mr. Cooper, concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By City Comptroller (through Mr. Wynne):

App. O. No. 4, 1902. An ordinance appropriating the sum of three thousand (\$3,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated for the use of the Department of Public Health and Charities, to be credited to the fund known as "Contagious Disease Fund," the sum of three thousand (\$3,000) dollars.

Sec. 2. An emergency existing for the immediate taking effect of this ordinance, the same shall be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

MISCELLANEOUS BUSINESS.

Under this order of business, Mr. Negley made the following motion.

I move you that a committee of three be appointed by the chairman, to act in concert with the G. A. R. committee on Memorial Day services.

H. E. NEGLEY.

Which was read, and the following committee was appointed by the President:

Messrs. Wheeler, Negley and Moriarity.

Mr. Rhodes offered the following resolution:

Resolution No. 1, 1902: Be it resolved by the Common Council, That the Board of Public Works be and is hereby requested that in granting any franchise in the future when the use of poles or supports for wires are necessary, that they compel the use of the poles or supports already erected as far as is practicable, and in granting any franchise in the future the joint use of the poles or supports erected shall be enforced.

W. A. RHODES.

Which was read and referred to Committee on Public Safety and Comfort.

ORDINANCES ON SECOND READING.

On motion of Mr. Negley, G. O. No. 16, 1902, was taken up and read a second time.

G. O. No. 16, 1902. An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and Marion County Hot Water Heating Company, whereby said Marion County Hot Water Heating Company, its successors and assigns, is granted the right and authority to enter upon and use the

streets, alleys, and public places of, and within, the city of Indianapolis, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, heat, steam, and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 16, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holiday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.
Noes, 1, viz.: Mr. Sourbier.

Mr. Negley moved that the vote by which G. O. No. 16, 1902, was passed, be reconsidered at the next regular meeting.

Mr. McFarland moved to lay Mr. Negley's motion on the table.

Which motion carried.

On motion of Mr. Meyer, G. O. No. 7, 1902, was taken up and read a second time.

G. O. No. 7, 1902. An ordinance approving a certain contract granting Burnet & Lewis the right to lay and maintain a switch or sidetrack across Van Buren street, in the city of Indianapolis, Indiana.

On motion of Mr. Meyer, G. O. No. 7, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holiday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wynne, Wysong and President Haldeman.
Noes, 3, viz.: Messrs. Shea, Wahl and Wolsiffer.

On motion of Mr. Wolsiffer, the Common Council, at 8:40 o'clock p. m., adjourned.

R. H. Haldeman
R. H. Haldeman

President.

ATTEST

Charles H. Elliott
Charles H. Elliott
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, March 17, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, March 17, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 17 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. Holliday, Wahl and President Haldeman.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, March 5, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance: G. O. No. 16, 1902: "An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and the Marion County Hot Water Heating Company, whereby said company is granted the right to enter upon the streets, alleys and public places for the purpose of heating water or steam, and generating electricity."

CHARLES A. BOOKWALTER,
Mayor.

Which was read and referred to Committee on Finance.

REPORTS FROM CITY OFFICERS.

Communications from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, March 17, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities, asking for an appropriation of two thousand dollars for the prevention of contagious diseases.

I recommend that an ordinance be passed appropriating the sum asked for.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, March 17, 1902.

To the President and Members of the Common Council:

Gentlemen—By request of the Law Department of the city, I recommend the passage of an ordinance appropriating the sum of sixteen thousand five hundred (\$16,500) dollars to pay judgments and interest thereon, as follows:

Judgment of \$7,000, favor Jasper O. Tansell, rendered in June, 1899.

Judgment of \$5,000 favor Ida G. Mitchell, rendered in March, 1898.

Judgment of \$1,100 favor Geo. M. Craig, rendered October 7, 1901.

Each with six per cent. interest from date of judgment.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF FINANCE,
City of Indianapolis.
INDIANAPOLIS, March 17, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith present a communication from the Department of Public Works requesting the appropriation of \$13,500 for the purchase of ground and erection of buildings thereon for treatment of smallpox and other contagious diseases.

I recommend the passage of an ordinance making the appropriation asked for, and respectfully suggest that you take action at very early day.

Yours very truly,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communications from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, March 10, 1902.

To the President and Members of the Common Council:

Gentlemen—We respectfully transmit to you herewith G. O. No. 19, 1902, ratifying and confirming a contract entered into on the 8th day of March, 1902, by the city, through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company, authorizing said Company to operate its interurban cars along certain streets of the city, for your consideration and action.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, March 17, 1902.

Mr. Geo. T. Breunig, City Comptroller:

Dear Sir—We desire to request that you recommend to the Common Council the appropriation of thirteen thousand five hundred dollars (\$13,500), to be used by this department to purchase real estate and to construct thereon a smallpox hospital and a detention pavilion for the purpose of detaining and treating smallpox patients.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Finance.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, March 17, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith for your consideration and action General Ordinance No. 20, 1902, ratifying and confirming a contract entered into this day by the city of Indianapolis, through its Board of Public Works, and the Indianapolis Southern Railway, granting to the said Indianapolis Southern Railway, the right to lay and to

maintain tracks in and along and across certain streets and alleys in the city of Indianapolis, and to operate thereon.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORT FROM BOARD OF HEALTH.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.

City of Indianapolis,

INDIANAPOLIS, March 15, 1902.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—I have the honor to report, that in anticipation of favorable action by the Council, and an emergency existing, we have expended the \$3,000 asked for.

In order to continue the efficiency of the quarantine service, we find it necessary to ask for additional funds.

We therefore ask you to take such steps as are necessary to obtain an additional appropriation of \$2,000 to meet the expenditures which will accrue.

Very respectfully yours,

EUGENE BUEHLER,
Sec'y Board of Health.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 4, 1902: An ordinance appropriating the sum of three thousand (\$3,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, March 17, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 4, 1902, under consideration, and recommend that same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES,
B. F. WYSONG,
JNO. H. CRALL,
FRED W. EPPERT,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read and concurred in.

Mr. Cooper, on behalf of Committee on Railroads, to which was referred G. O. No. 17, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and Thomas Rodibaugh, whereby said Thomas Rodibaugh is granted the right to construct and maintain a switch or sidetrack in and along Lafayette street and across Smith street.

Made the following report:

INDIANAPOLIS, March 17, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee to whom was referred G. O. No. 17, 1902, recommend that same do pass.

LEW W. COOPER,
T. A. WYNNE,
JOHN WOLSIFFER.
J. H. BILLINGSLEY.

Which was read and concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By City Comptroller (through Mr. Wynne):

App. O. No. 5, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That there be and is hereby appropriated for the use of the Department of Public Health and Charities, to be credited to the fund known as "Contagious Disease Fund," the sum of two thousand (\$2,000) dollars.

Sec. 2. An emergency existing for the immediate taking effect of this ordinance, the same shall be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 6, 1902: An ordinance appropriating the sum of sixteen thousand five hundred (\$16,500) dollars to and for the use of the Department of Law of the City of Indianapolis.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That there be and is hereby appropriated for the use of the Department of Law for judgments, compromises and costs, the sum of sixteen thousand five hundred (\$16,500) dollars, the said appropriation being for the purpose of paying the following judgments, to wit: One of seven thousand (\$7,000) dollars, procured in June 1899, in favor of Jasper O. Tansell; one for five thousand (\$5,000) dollars, procured in March, 1898, in favor of Ida G. Mitchell, and one for eleven hundred (\$1,100) dollars, procured October 7, 1901, in favor of George M. Craig, each with interest from date of judgment.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 7, 1902: An ordinance authorizing the Board of Public Works of the city of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred (\$13,500) dollars for such purpose, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the Board of Public Works of the city of Indianapolis, be and is hereby authorized to purchase suitable real estate for such purpose and to construct and erect thereon a building to be known as the smallpox hospital, and an additional building to be called a detention pavilion for detaining and treating persons afflicted, or thought to be afflicted, with smallpox or other contagious diseases. All said property to be for the use of the Board of Public Health in protecting the health of the citizens against smallpox and other contagious diseases, and caring for and treating persons afflicted therewith.

Sec. 2. That to pay the cost of purchasing said real estate and constructing said buildings, the sum of thirteen thousand five hundred (\$13,500) dollars be and is hereby appropriated out of the funds in the city treasury not otherwise appropriated, or so much thereof as is necessary for such purpose.

Sec. 3. Said ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 19, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 8th day of March, 1902, between the city of Indianapolis, by and through its Board of Public Works, and Indianapolis, Shelbyville and Southeastern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: On the 8th day of March, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis, Shelbyville and Southeastern Traction Company, namely:

THIS AGREEMENT, made and entered into this, the 8th day of March, 1902, by and between the city of Indianapolis, Marion county, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis, Shelbyville and Southeastern Traction Company (hereinafter called the company), a corporation duly organized and incorporated nuder and by virtue of the laws of Indiana, party of the second part,

WITNESSETH: That, Whereas, The said Indianapolis, Shelbyville and Southeastern Traction Company has presented its written petition to the Board of Public Works of said city of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein, and hereinafter named, over the tracks of the Indianapolis Street Railway Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe,

Now, Therefore, The said Board of Public Works of said city of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, empower and permit the said Indianapolis, Shelbyville and Southeastern Traction Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company, now laid and in use upon the following streets and avenues of said city, to wit:

The line of route over which passenger cars may be operated begins at a point of connection at the eastern terminus of Prospect street and

running thence to Virginia avenue, thence on Virginia avenue to Washington street, thence on Washington street to Meridian street, thence on Meridian street to and beyond Georgia street for terminal point, thence returning on Georgia and Illinois streets, and around the Louisiana street loop by Illinois street, Georgia street, and Meridian street to Washington street, thence on Washington street to Virginia avenue, thence on Virginia avenue and Prospect street to the point of connection aforesaid.

The line of route over which freight and express cars may be operated begins at the aforesaid point of connection at the eastern terminus of Prospect street and running thence to Virginia avenue, thence on Virginia avenue to Maryland street, thence on Maryland street to Pennsylvania street, thence on Pennsylvania street to Georgia street, thence on Georgia street to Meridian street and thence returning over the same route to the point of connection aforesaid.

Provided, however, That at any time prior to the first day of May, 1903, the said Company, party of the second part, and the Indianapolis Street Railway Company may, with the consent and approval of the Board of Public Works, designate and determine upon a different route than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company, which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; Georgia street, on the south; Delaware street, on the east, and Capitol avenue, on the west, which route is to remain unchanged for five years. But in the event said Company, party of the second part, and the said Indianapolis Street Railway Company, cannot agree on a route over the said line and tracks in and between said streets, or on the parts of said New York, Georgia and Delaware streets and Capitol avenue, forming boundaries as above described, or in event they fail, neglect or refuse to designate said route before said first day of May, 1903, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundaries, but in such a way that said route will connect with the other part of the line over which said Company, party of the second part, enters the city, and at the same time connect with the terminal point established as herein described, or some other terminal point within the district so bounded, which shall have been fixed as above provided.

Provided further, however, That after said route is determined and established by either party, in accordance herewith, it shall so remain for a period of not less than five years, but at any time after five years, the said Board of Public Works, or the said Indianapolis Street Railway Company, with the consent and approval of the said Board of Public Works, may change said route in said streets, and at any and every interval of five years thereafter.

And that for the purpose of storing, cleaning and repairing its cars, when necessary, the said company may also run the same over the tracks of said Indianapolis Company, subject to the conditions hereinafter set forth, as follows:

From Pennsylvania street west on Washington street to, into and returning from the barns and shops on West Washington street; from the intersection of Georgia and Illinois streets, south on Illinois street to the Union Station; thence west on Louisiana street to and around the loop at the intersection of Capitol avenue and Louisiana street, to, into and returning from the Louisiana car house and shops.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such interurban company, within such city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic, to or from the city of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said line by the Indianapolis Street Railway Company, which cars shall have the right of way, and so as not to delay or interfere in anywise with the running and operation of the cars of the said Indianapolis Street Railway Company, or to interfere with any schedule for the running of the said cars of said Indianapolis Company which may hereafter be fixed by the Board of Public Works, and the said cars of the said Indianapolis, Shelbyville and Southeastern Traction Company shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of said Railway Company under the law or any ordinance of the city of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said company and said city dated April 7, 1899, or any other existing grant or contract whether made to or with said company or some other person or corporation to the rights and obligations of which said company has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said Indianapolis, Shelbyville and Southeastern Traction Company passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, that said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said Indianapolis, Shelbyville and Southeastern Traction Company, party of the second part, shall not be stopped, either for receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its depot or station which may hereafter be established at such point as the Board of Public Works may approve. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company at such crossings or other places in said city.

5. The said company, party of the second part, may at all times carry on its passenger cars, or in suitable compartments thereof, provided for such purpose, or in express cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers being transported in such passenger cars, as is usually allowed to be carried by passengers on steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, that no live animals (except hunting dogs) shall be carried on any such cars or in any such compartment at any time; and, provided, further, that all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the depot or station of said company hereinafter referred to, for distribution and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at lay-over point: Provided, also, that fowls, properly secured in boxes or coops, may be carried in such cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport on its cars through or over the streets, alleys or avenues of such city live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in sections 5 and 7 as hereinafter provided, when it shall have provided and established a freight depot in said city at some point which shall be approved by the Board of Public Works. After having provided and established such depot, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into the said depot, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies, which may be able to transport the same under any ordinance regulating such transportation.

7. The said company, party of the second part, within 180 days from the date of this contract, shall provide in the central part of said city, at some point to be approved by the Board of Public Works, a depot or station in which baggage, express matter, merchandise in boxes, crates or parcels, garden marketing, dairy products, properly enclosed and secured, hauled or to be hauled in the cars of said company through said city, shall be loaded and unloaded, and for the purpose of reaching its said depot, the right is hereby granted said company to lay its tracks across such streets, alleys or sidewalks, under the direction of the Board of Public Works, as may be necessary to run from its main line to said depot. Any such depot shall be kept clean and free from all noxious odors, and shall at all times be under the supervision of the Board of Health of said city, for the purpose of making and enforcing all necessary regulations to insure the cleanliness of the same: Provided, however, that until the expiration of said 180 days from the date of this contract said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company, to stand said cars upon some line of "dead track" as said Indianapolis Street Railway Company: Provided, that the selection of such "dead track" shall be first approved by the said Board of Public Works: and, provided further, that such cars

shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of freight, designated in sections 5, 6 and 7 of this contract, baggage or merchandise, or property of any kind through the streets, alleys and avenues of said city, and if by them deemed necessary to the public health or comfort, or the convenience of public travel in said city, to prohibit the carrying of freight of any or all kinds through any of such streets, alleys and avenues.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, that if the Board of Public Works and Common Council of said city, under the power reserved to them under the contract heretofore entered into between said city and the Indianapolis Street Railway Company, shall by order or ordinance require said Indianapolis company to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within such city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space under specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in

said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the insurance of the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage on such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in anywise insufficient, and the right is reserved to the Board of Public Works of such city to order any needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said company, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of said company.

In case the said company, party of the second part, should fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designing the same, or concerning alarm bells, life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50) for each day that it shall continue to violate any such

provision or stipulation, which sum may be collected without relief from valuation or appraisal laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, that nothing herein contained shall be construed as an attempt to abridge or in anywise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, the said company, party of the second part, agrees and binds itself to pay to the said city on the 1st day of July, 1903, and annually thereafter during the first seven years of this franchise, the sum of five cents per round trip for each and every round trip made by any car of said company over the streets of said city, during the year preceding said date; and thereafter annually during the next ten years the sum of fifteen cents per round trip for each and every round trip made by any car of said company over the streets of said city during the preceding year; and for the balance of said period for which said franchise is granted, said party of the second part agrees and binds itself to pay as aforesaid the sum of twenty-five cents per round trip for each and every car as above described.

The president of said company, or other executive officer thereof, shall at the time of such payment file with the City Comptroller a sworn statement as to the total number of round trips made by each car aforesaid within such city during the year or period preceding.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within said city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it should undertake to so run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it should thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line, within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered on the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company hereby granted, is subject to the payment by said com-

pany, party of the second part, to said Railway Company, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said Railway Company shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the city of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city, and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In witness whereof, said parties have hereunto set their hands and seals this 8th day of March, 1902.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works of said city.

CHARLES A. BOOKWALTER, Mayor.

INDIANAPOLIS, SHELBYVILLE AND SOUTHEASTERN TRACTION COMPANY,

By ED. K. ADAMS, President,

Attest:

T. E. GOODRICH, Secretary.

And, Whereas, Said contract and agreement has been submitted by said Board of Public Works of said city of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 8th day of March, 1902, by the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis, Shelbyville and Southeastern Traction Company is hereby

granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Board of Public Works:

G. O. No. 20, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the seventeenth day of March, 1902, between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis Southern Railway, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the City of Indianapolis, and to maintain same and operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

Whereas, heretofore, to wit: On the 17th day of March, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following agreement with the Indianapolis Southern Railway, viz.:

This Agreement made and entered into this 17th day of March, 1902, by and between the city of Indianapolis, Marion county, Indiana (hereinafter called "the city"), by and through its Board of Public Works, party of the first part, and the Indianapolis Southern Railway (hereinafter called "the railway"), a corporation duly organized and incorporated under and by virtue of the laws of the State of Indiana, party of the second part, Witnesseth:

That, Whereas, Said railway has presented its written petition to the Board of Public Works of said city of Indianapolis, asking permission to be allowed to construct a line of railway from the south corporate limits of said city to a connection with the tracks of the Union Railway Company leading to the Union Station in said city, as shown by the plat of said line of railway filed in the office of the said Board of Public Works; and also asking permission to be allowed to operate over and upon said railway when so constructed; and also asking permission of said Board of Public Works to authorize said railway to so construct its track, or tracks, across said streets and alleys and operate on and over the same in and through said city.

Now, therefore, Said Board of Public Works of said city of Indianapolis, in consideration of the several agreements of said railway, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, empower and permit said Indianapolis Southern Railway, subject to the conditions hereinafter prescribed and expressed, to construct its grade, lay its ties and rails, construct, equip, operate and run its said line of railway upon the following route within the limits of said city, to wit: Beginning on the south line of Southern avenue, running thence northwardly, crossing said Southern avenue and intersecting the north line of said avenue about ten (10) feet east of its intersection with the east line of Ruecker street, (Southern avenue

being the south line of the city limits of the city of Indianapolis) and running thence northwardly to a point where such line intersects Pogue's Run at about the south line of Wisconsin street in the said city of Indianapolis; thence following along the line of Pogue's Run from the south line of Wisconsin street to Merrill street, and thence continuing northward to South street and crossing South street at a point 130 feet east of the intersection of the south line of South street and the east line of Missouri street; thence continuing northward across South street to McGill street, and in and along McGill street and curving to the right and intersecting the south line of West Louisiana street at a point about 98 feet east of its intersection with the east line of McGill street, and thence continuing on and along West Louisiana street to the intersection with the Union Railway tracks at South Capitol avenue.

Also, beginning at a point on the said main line in McGill street and curving to the right crossing McGill street to and crossing South Senate avenue at a point about 170 feet north of the north line of South street, to a connection with the tracks of the Peoria & Eastern Railway east of Senate avenue, and also to make connection with the Indianapolis & Vincennes Railroad and the Terre Haute & Indianapolis Railroad in Louisiana street at a point east of the east line of McGill street.

Also, the right to lay, maintain and operate double tracks from the south line of Merrill street, south to the southern limits of the city; also the right to lay switches and sidetracks from a point on its main line south of Merrill street to its main shops, which are to be located in the city of Indianapolis, it being understood and agreed as a condition of this contract that said railway shall locate, erect and maintain in or within two (2) miles of the corporate limits of said city its principal repair and construction shops, and the right is given and granted said company to cross and run upon and along the said streets and alleys between the point of beginning and the connection with the tracks of said Union Railway Company, as shown in the plat hereinbefore referred to, which is hereby made a part hereof, and said railway is further authorized, empowered and permitted to enter upon any of the streets and alleys aforesaid with its engineers, surveyors, superintendents, trackmen, trainmen, or other employes, for the purpose of survey or constructing its grade and railway track, or tracks, as aforesaid.

Provided, however, That the right of said railway to construct, maintain and operate said railway in said city, as aforesaid, is granted and held upon and subject to the terms and conditions following, to wit:

1. That said railway in the construction of its grade and tracks as aforesaid shall so construct the same as to conform to the reasonable requirements of the Board of Public Works of said city, and when its railway is constructed as aforesaid shall restore all such streets and alleys to as good condition as the same were in at the time said construction was commenced; and said railway shall make all proper crossings as required by said Board of Public Works of said city, so that travel across said grade and tracks shall not be seriously inconvenienced by the construction of said railway, and shall improve and repair on and along its right of way, in conformity with their improvements, all said streets and alleys at all times as required by the said Board of Public Works, and during the period of construction of said railway shall keep and maintain at all places where said track is crossed by a public thoroughfare proper and sufficient guards and warnings, to the approval of the said Board of Public Works, for the protection of pedestrians and other traffic desiring to cross said tracks during said period of construction.

2. Said railway shall, wherever its grade and tracks shall be constructed along Pogue's Run, at its own expense maintain, repair, and improve wherever necessary, and so use the channel and banks of

said Pogue's Run, in such manner that its utility and purpose shall not be interfered with, nor the flow of water therein obstructed, and shall keep said Pogue's Run free from rubbish or other obstructions likely to impede the flow of water therein, or to create a public nuisance, all of which shall be done upon the proper written order of the said Board of Public Works and to its approval.

3. The granting of said right, as aforesaid, shall in nowise be construed as granting a right of way over private property, and said railway shall be and become liable for all damages for which said railway or city may be legally liable which may be sustained by any person on account of the construction of said railway, as aforesaid, either to property, by reason of the depreciation of the value thereof along said right of way, or by reason of the carelessness, negligence or misconduct of any of its agents, servants, or employees in the construction or use of said railway as aforesaid; and said railway hereby agrees, when duly notified in writing and permitted to defend and appeal, to indemnify and hold harmless said city from any liability as aforesaid, and agrees to pay any final judgment, or judgments rendered against said city on account thereof, and to defend, upon written notice from and in the name of said city, any action against it on account thereof; and upon entering upon any of the city streets or alleys, or Pogue's Run, for the purpose of constructing its said grade and track, or tracks, said railway shall immediately file with the Board of Public Works of said city a surety company bond to the approval of said Board of Public Works in the sum of twenty-five thousand (\$25,000) dollars, so conditioned as to secure the performance of its part of the conditions contained in this section.

4. Said railway shall construct and continually keep in good repair through and along its grade and tracks as aforesaid, at such points as may be deemed necessary by the city engineer, under written orders of the Board of Public Works, sufficient culverts, ditches, drains and sewers to admit the free passage of water under its said grade and track, or tracks, and along and over the streets and alleys as aforesaid.

5. All acts and things required to be done by said railway with reference to the condition of Pogue's Run, said streets and alleys, or the crossings thereof, or the construction or maintenance of culverts and drains, shall be done promptly after the construction of said grade and tracks along said streets and alleys, as aforesaid. And in case said company shall fail to perform said acts and things required to be done, and to keep the same properly improved and repaired to the approval of the city engineer, or said Board of Public Works, said city may perform such work and collect the cost thereof with twenty (20%) per cent. damages in addition thereto by suit against said company in any court of competent jurisdiction, and the bond heretofore required of said railway in condition three (3) shall also be conditioned to cause said surety to become liable for the payment of any judgment rendered in such proceeding.

6. Said railway shall provide and maintain flagmen, or erect and maintain safety gates, or such other approved protections, at such alley and street crossings as may be ordered or directed by said Board of Public Works in writing, at any time, or from time to time.

7. The said railway shall not permit any car or locomotive to stand at the crossing of any street or alley crossing said right of way so as to obstruct the free passage of teams, vehicles, or persons, over said right of way, or to cause danger or inconvenience; and said railway shall in all cases cause the engine bell to ring as its locomotive and trains are moving along said track, and said railway shall not run any locomotive or car along its said tracks at a faster rate than allowed by the general ordinance of said city under the penalties therein prescribed.

8. Said railway shall construct and maintain its said grade and tracks so as to conform to the grade of all streets and alleys as now established, or as may hereafter be established; and shall not impede travel or interfere with the free use of the streets at the crossings thereof; and shall keep all such crossings so improved and repaired as may be required by the city engineer of said city, under the written directions of the Board of Public Works; said railway company shall also construct and keep in repair any bridges which may be necessary for it to use along its right of way, and shall construct and keep in repair any approaches, to the approval of the city engineer of said city, wherever the grade of its said tracks does not conform with the grade of any street or alley crossing said track, or tracks.

9. Said railway shall at all times, in accordance with any requirements of the said Board of Public Works, permit the crossing of its right of way, either under or over, by any viaduct, or the passage through or under its right of way of any sewer, tunnel, or subway that may be authorized to be constructed by the said Board of Public Works.

10. It is expressly understood and agreed, as one of the conditions precedent to the granting of this franchise, that should the city of Indianapolis, through any order of said Board of Public Works, or by ordinance duly passed by the Common Council, or otherwise, adopt and establish a general system of railway track elevation or depression in said city, by which plan the tracks of the Union Railway Company, and all other railway companies connecting therewith, shall be changed from present grade, the said company shall promptly comply with the terms of such order, ordinance, or other instrument, and shall raise or lower its said tracks so as to connect with the tracks of the said Union Railway and other railways connecting therewith, at a uniform grade: said elevation or depression to be made for such distance from the line of said Union Railway to such point in said city as may be determined by the said Board of Public Works, not otherwise. Should the railway fail, refuse or neglect to comply with such order for the elevation or depression of its said tracks, the said city shall have the right, in addition to any right of forfeiture, to advertise and contract for the elevation or depression of such tracks, and the cost of such work shall be recovered in a proper action brought by said city in any court of competent jurisdiction.

11. Said railway shall permit the use of its track, or tracks, by any duly incorporated railway using the same motive power as then being used by the said Southern Railway and engaged as a common carrier for hire, from or near the corporate limits, or from any connecting point within the corporate limits of said city to the Union Station, whenever such use has been permitted by the Board of Public Works and the Common Council of said city, upon such terms and compensation of such city as may be determined by contract approved by ordinance.

Provided, That the trains of said party of the second part shall have precedence over trains of the same grade of other railways; and that the compensation to said Indianapolis Southern Railway by any such newly entering railroad shall be upon such terms as may be agreed upon between the companies; but in case such companies cannot agree as to such compensation within thirty (30) days after application has been made therefor to the Indianapolis Southern Railway by said newly entering road, then such compensation shall be fixed and determined in an action instituted by either of such companies in any court of competent jurisdiction, and pending the determination of such suit, such newly entering railway shall have the right to use said track, or tracks, designated as aforesaid by the Board of Public Works and the Common Council, upon executing a bond in such amount and with such

security as shall be approved by the court, conditioned for the payment to said Indianapolis Southern Railway of the compensation which may accrue up to the time of the final decision in said action.

12. Said railway shall bring, carry or transport Indiana mined coal, wherever received by it; or coal delivered by other railway companies to said railway more than fifty (50) miles from said city, to said city from any station, switch, or point on said road where freight may be received or discharged, and shall charge therefor at a rate not exceeding one-half cent per ton for each mile said coal may be brought, carried or transported; said railway shall from time to time construct and thereafter maintain in good order all necessary switches, side-tracks, and other facilities required for receiving freight on said railroad; said facilities to be afforded at all points on its line and property nearest and most convenient to any coal mine adjacent to the line of said railroad; said railroad shall not discriminate in the rates charged on freight as between other points and said city to the detriment of said city. And said railway may from time to time lay and use tracks to the coal yards, and other business places in the city, as it may find it necessary to conveniently handle its traffic and accommodate the business interests of the people of the city, subject to the order of the Board of Public Works and the Common Council by contract and ordinance.

13. Whereas, it is deemed of benefit to the citizens of the city of Indianapolis to secure the construction of a railroad extending in a southerly direction into the coal fields of Indiana,

And, Whereas, on account of the density of the population south of the Union Station in said city, and the objection to the further use of the streets and alleys for railroad purposes, the granting of the franchise to said railway will probably prevent for a period of five years the granting of another franchise, and the benefit of a southerly railroad will be lost to said city if said railway fails to construct its line as agreed upon herein.

And, Whereas, it is agreed therefore, that the damages arising from the failure on the part of said railway to construct said railroad as aforesaid agreed upon, are uncertain in amount,

Now, Therefore, as a condition precedent to the vesting of any rights hereunder in said railway, said railway shall deposit with the comptroller of said city a surety company bond to the approval of said comptroller in the sum of twenty-five thousand (\$25,000) dollars, conditioned so that said railroad shall become liable to the city of Indianapolis in the sum of twenty-five thousand (\$25,000) dollars as liquidated damages for the failure to construct a line of railroad southerly, or in a southwesterly direction, from the city of Indianapolis, at least one hundred (100) miles within a period of five years from the date hereof.

14. In case said railway shall fail to construct said road one hundred (100) miles, as provided herein, within five years, all rights and privileges hereto and hereby granted said railway may be forfeited and said city shall have the right to enter upon its property, grade, tracks or right of way and remove the tracks and other property of said railway upon proper written resolution of said Board of Public Works; and furthermore this contract or franchise can only be transferred with the consent and approval of said Board of Public Works first had and obtained.

15. This contract shall take effect and be in full force from and after the date of its approval and ratification by ordinance of the Common Council of said city.

In Witness Whereof, the said parties have hereunto set their hands this 17th day of March, 1902.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER, Mayor.

INDIANAPOLIS SOUTHERN RAILWAY.

D. M. PERRY, President.

CHAS. E. BARRETT, Secretary.

And, Whereas, said contract and agreement has been submitted by the said Board of Public Works of the City of Indianapolis to the Common Council of said city for its action thereon, therefore:

Section 1. Be it ordained by the Common Council of the City of Indianapolis that the foregoing contract and agreement made and entered into on the seventeenth day of March, 1902, by the city of Indianapolis, by and through its Board of Public Works, with the Indianapolis Southern Railway* be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis Southern Railway is granted all rights, privileges and franchises as is in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Which was read a first time and referred to Committee on Contracts and Franchises.

ORDINANCES ON SECOND READING.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

App. O. No. 4, 1902. An ordinance appropriating the sum of three thousand (\$3,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 4, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

G. O. No. 17, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works,

and Thomas Rodibaugh, whereby said Thomas Rodibaugh is granted the right to construct and maintain a switch or sidetrack in and along Lafayette street and across Smith street.

On motion of Mr. Crall, G. O. No. 17, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Sourbier, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

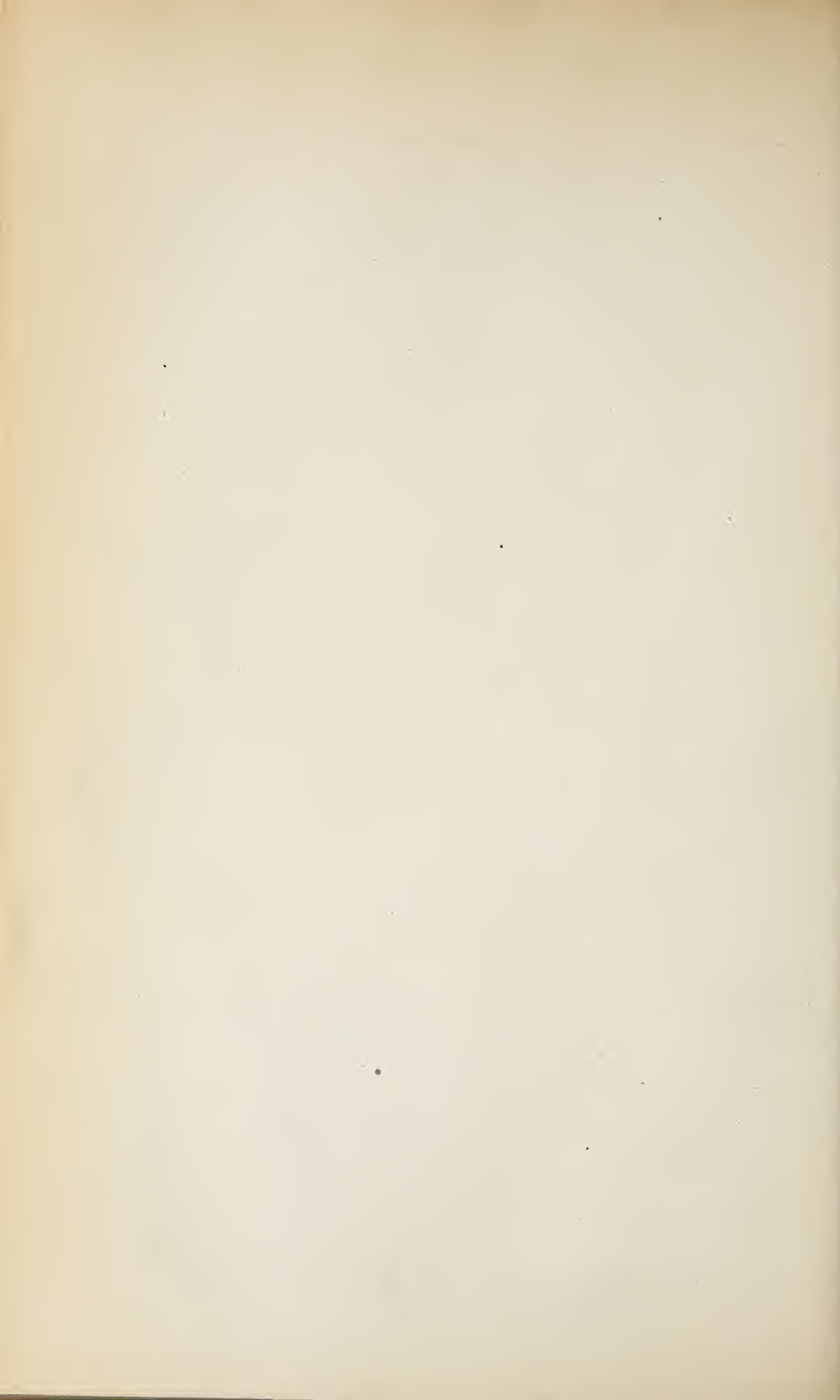
Noes, 6, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea and Warweg.

On motion of Mr. Sourbier, the Common Council, at 8:30 o'clock, adjourned.

W. A. Rhodes
W. A. Rhodes
.....
President pro tem.

ATTEST: *Charles N. Elliott*
Charles N. Elliott
.....

City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
WEDNESDAY, March 26, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday evening, March 26, 1902, at 8:00 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, March 25, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 8 o'clock p. m. on March 26, 1902, in the Council Chamber in said city, for the purpose of considering, taking action on and passing App. O. No. 5: "An ordinance appropriating the sum of \$2,000 to and for the use of the Department of Public Health and Charities, and stating the time when the same shall take effect."

Also, for the purpose of introducing, considering and taking action on App. O. No. 8: "An ordinance appropriating the sum of \$5,000 to and for the use of the Department of Public Health and Charities, and stating the time when the same shall take effect."

Also, for the purpose of introducing, considering and taking action on an ordinance appropriating money for the purpose of paying the interest on certain bonds issued by the town of Irvington, which was due but unpaid prior to the annexation of the town of Irvington to the city of Indianapolis.

Very truly yours,
CHARLES A. BOOKWALTER,
Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 12 members, viz.: Messrs. Berry,

Eppert, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent, 8, viz.: Messrs. Billingsley, Cooper, Crall, Holliday, Kelly, Meyer, Wolsiffer and President Haldeman.

There not being two-thirds of the members present, on motion of Mr. Sourbier, the Common Council adjourned at 8:10 o'clock p. m.

President pro tem.

ATTEST:

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

FRIDAY, March 28, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Friday evening, March 28, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, March 27, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as mayor of the city of Indianapolis, Indiana, under Section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 o'clock p. m. on March 28, 1902, in the Council Chamber in said city, for the purpose of considering, taking action on and passing App. O. No. 5: "An ordinance appropriating the sum of \$2,000 to and for the use of the Department of Public Health and Charities, and stating the time when the same shall take effect."

Also for the purpose of introducing, considering and taking action on App. O. No. 8: "An ordinance appropriating the sum of \$5,000 to and for the use of the Department of Public Health and Charities, and stating the time when the same shall take effect."

Also, for the purpose of introducing, considering and taking action on an ordinance appropriating money for the purpose of paying the interest on certain bonds issued by the town of Irvington, which was due but unpaid prior to the annexation of the town of Irvington to the city of Indianapolis.

Very truly yours,

CHARLES A. BOOKWALTER.

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 16 members, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent, 4, viz.: Messrs. Cooper, Holliday, Wolsiffer and President Haldeman.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE.

City of Indianapolis.

INDIANAPOLIS, March 26, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities, asking for an appropriation of five thousand dollars for the prevention of contagious diseases.

I recommend that an ordinance be passed appropriating the sum asked for.

Respectfully submitted,

GEO. T. BREUNIG.

City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, March 26, 1902.

To the President and Members of the Common Council:

Gentlemen—At the time of the annexation of the town of Irvington, said town had outstanding a bonded indebtedness amounting to nineteen thousand dollars. The semi-annual interest on the several issues of bonds was due February 1st, and March 1st, 1902. A part of the interest was paid by the Town Treasurer, leaving a balance unpaid.

I recommend the passage of an ordinance appropriating the sum of two hundred and twenty dollars to pay interest and exchange, and respectfully suggest early action by your honorable body.

Very truly yours,

GEO. T. BREUNIG.

City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Health:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.

City of Indianapolis.

INDIANAPOLIS, March 26, 1902.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—Since sending you the communication of March 15, asking for an appropriation of \$2,000, we find the number of smallpox cases, in place of diminishing, on the increase, and at the present time the outlook is such that we are unable to state how long this condition will continue. On Sunday, March 23rd, we found eight cases in one

locality. On March 25th, we found twelve cases on South Meridian street near Raymond street. Every day we discover from one to three new cases. Now in order not to be continually asking for small appropriations at each session of the Council we ask you to have the Council appropriate a sum of \$5,000, with which we hope to check the present epidemic.

By order of the Board of Health.

EUGENE BUEHLER,
Secretary.

Which was read and referred to Committee on Finance.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 5, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, March 26, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 5, 1902, under consideration, and recommends that the same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES,
B. F. WYSONG,
FRED W. EPPERT,
JAMES E. BERRY,
JAMES D. MORIARTY.

Which was read and concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By City Comptroller (through Mr. Wynne):

App. No. 8, 1902: An ordinance appropriating the sum of five thousand dollars (\$5,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated for

the use of the Department of Public Health and Charities, to be credited to the fund known as "Contagious Disease Fund," the sum of five thousand (\$5,000) dollars.

Sec. 2. An emergency existing for the immediate taking effect of this ordinance, the same shall be in full force from and after its passage.

Which was read and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 9, 1902: An ordinance appropriating the sum of two hundred and twenty dollars for the Department of Finance of the city of Indianapolis, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that there be and is hereby appropriated for the use of the Department of Finance of said city, the sum of two hundred and twenty dollars, to be used in payment of interest on bonds issued by the town of Irvington.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read and referred to Committee on Finance.

On motion of Mr. Wynne, the council took a recess of five minutes, to consider App. O. No. 9, 1902.

Council reconvened at 7:55 o'clock.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Finance Committee, to which was referred App. O. No. 9, 1902: An ordinance appropriating the sum of two hundred and twenty dollars for the Department of Finance of the city of Indianapolis, and fixing a time when same shall take effect.

Made the following report:

INDIANAPOLIS, March 28, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Finance Committee has had App. O. No. 9, 1902, under consideration, and recommends that same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES.
FRED W. EPPERT,
JNO. H. CRALL.
B. F. WYSONG,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read and concurred in.

Mr. Crall moved that the constitutional rules be suspended for the purpose of placing App. O. No. 9, 1902, on its final passage.

Which motion carried.

On motion of Mr. Crall, App. O. No. 9, 1902, was then taken up, read a second time, ordered engrossed, read a third time, and then passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

ORDINANCES ON SECOND READING.

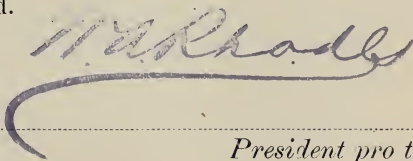
On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time: App. O. No. 5, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 5, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes: None.

On motion of Mr. Moriarity, the Common Council, at 8:00 o'clock p. m., adjourned.



President pro tem.

ATTEST:



City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

THURSDAY, April 3, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday, April 3, 1902, at 4 o'clock p. m., in special session, pursuant to the following call:

INDIANAPOLIS, April 3, 1902.

To the Members of the Common Council and the City Clerk:

Gentlemen—You are hereby notified that by virtue of the authority vested in me as President of said Common Council, a special meeting of said body is hereby called on this date, at 4 o'clock p. m., to take appropriate action on the death of the wife of Lew W. Cooper, one of our members.

And the City Clerk is hereby directed to serve this call upon each member of said Common Council forthwith.

H. M. HALDEMAN,
President.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, in the chair, and 11 members, viz.: Messrs. Berry, Billingsley, Kelly, Moriarity, Negley, Rhodes, Shea, Sourbier, Wahl, Wynne and Wysong.

Absent, 9, viz.: Messrs. Cooper, Crall, Eppert, Holliday, Meyer, McFarland, Warweg, Wheeler and Wolsiffer.

MISCELLANEOUS BUSINESS.

Mr. Wahl offered the following resolution:

INDIANAPOLIS, April 3, 1902.

Resolution No. 2, 1902.

Whereas, An all-wise Providence has visited our esteemed fellow-member, Lew W. Cooper, with the greatest of all bereavements, the death of his wife; therefore,

Be it Resolved, That we extend to our said member the heartfelt sympathy and condolence of this body in this hour of his sorrow; as-

suring him of our sincerest consideration and remembrance of his great misfortune; and

Be it Further Resolved, That an engrossed copy of this resolution be prepared by the Clerk of this body, and transmitted to our said fellow-member, in testimony of our sympathy and remembrance.

ANDREW H. WAHL.

Which was read and, on motion of Mr. Berry, adopted by unanimous vote.

Mr. Negley moved that a committee of five be appointed to officially represent the Common Council at the funeral of Mrs. Lew W. Cooper.

Which motion prevailed, and President Haldeman appointed the following named members to constitute said committee: Messrs. Negley, Billingsley, Wynne, Moriarity and Wahl.

Mr. Rhodes moved that a committee of two be appointed to purchase an appropriate floral design for the funeral.

Which motion prevailed and President Haldeman appointed the following members to constitute said committee: Messrs. Rhodes and Wahl.

On motion of Mr. Billingsley, the Common Council, at 4:20 o'clock p. m., adjourned.

R. H. Haldeman

.....
President.

Attest:

Charles N. Berry
.....
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, April 7, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, April 7, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 20 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent, none.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT.

City of Indianapolis:

INDIANAPOLIS, March 21, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 4, 1902: An ordinance appropriating the sum of three thousand dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect.

G. O. No. 17, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis and Thomas Rodebaugh, whereby said Thomas

Rodebaugh is granted the right to construct a switch or sidetrack in and along Lafayette street and across Smith street.

Very respectfully,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, March 29, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 5, 1902: An ordinance appropriating the sum of two thousand dollars (\$2,000) for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

App. O. No. 9, 1902: An ordinance appropriating the sum of two hundred dollars (\$200), to be used in payment of interest on bonds issued by the town of Irvington, and stating the time when the same shall take effect.

Very truly yours,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, April 2, 1902.

H. M. Haldeman, Esq., President of the Common Council:

Dear Sir—I have the honor to transmit to you herewith and through you to the members of the Common Council, communications from the Indianapolis Gas Company and from the Consumers' Gas Company, which have been forwarded to me by such corporations in order that the same shall receive such consideration as in your judgment, and the judgment of the members of the Common Council, and interests of the people of Indianapolis shall demand.

In submitting these communications to you, without in any way binding myself as to my future action on this question, I cannot refrain from expressing the opinion that the rates for natural gas suggested therein should receive the most careful consideration at your hands. I am convinced that the best interests of all the people demand that this question as to the future price and supply of natural gas should be settled definitely at the earliest possible moment; but I am not ready at this time to agree to the proposition that the rate suggested in such communications—admitting that the introduction of meters is the only solution of the natural gas problem, to which proposition I cannot accede at this time—would be fair and equitable to the consumers of natural gas. My position on this question has been repeatedly outlined to the people of Indianapolis, and I still hold to the opinions heretofore expressed and the pledges heretofore given. While I cannot at this time view with favor the proposition to introduce meters at any price, much less at the price suggested in such communications, I recognize that the changing conditions may demand some action upon the part of the city of Indianapolis looking to the

retention to all our people of the advantages of natural gas for fuel, and, therefore, expressing a desire that this whole subject shall be settled definitely at the earliest possible moment, I submit these papers to your honorable body, with the assurance that I shall always be ready to co-operate with you in reaching such determination of this question as shall prove satisfactory and to the best interests of the people of the city of Indianapolis.

I have the honor to remain,

Sincerely yours,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS FROM OFFICIAL BOARDS.

Communications from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, April 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith for your consideration and action G. O. No. 23, 1902, approving a certain contract entered into by U. S. Encaustic Tile Works and the city of Indianapolis, granting to said U. S. Encaustic Tile Works the right to lay and maintain a switch or sidetrack across Sixteenth street and the alley north of Sixteenth street.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, April 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action G. O. No. 22, 1902, approving a certain contract entered into by James L. Keach and the city of Indianapolis, granting to the said James L. Keach the right to lay and maintain a sidetrack or switch across McGill street.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, March 31, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith G. O. No. 21, 1902, confirming and ratifying a contract made and entered into between the city of Indianapolis, by and through its Board of Public Works, and Atlas Engine Works, granting permission to said Atlas Engine Works to construct and operate certain switches or sidetracks across certain streets and alleys in the city of Indianapolis, for your consideration and action.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, April 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action, G. O. No. 24, 1902, ratifying and confirming a contract entered into by and between the city of Indianapolis and the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company and W. J. Holliday & Company, granting to said Cleveland, Cincinnati, Chicago & St. Louis Railroad Company and W. J. Holliday & Company the right to lay and construct sidetracks in and along and across certain streets in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Negley, on behalf of Committee on Contracts and Franchises, to whom was referred G. O. No. 20, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the seventeenth day of March, 1902, between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis Southern Railway, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the city of Indianapolis, and to maintain same and

operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, April 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Contracts and Franchises, to whom was referred G. O. No. 20, 1902, beg leave to report that we have had the same under consideration. We find that the franchise accompanying said ordinance is for a railroad which the business and commercial interests of the city of Indianapolis have long felt need of.

We have also made such investigation as we were able to under the circumstances, and we find that the franchise submitted is as equitable and favorable for the city of Indianapolis as can be secured under the circumstances, and affords reasonable encouragement to a much needed project.

We therefore recommend that the ordinance do pass.

H. E. NEGLEY,
J. L. McFARLAND,
ANDREW H. WAHL,
J. S. HOLLIDAY,
Committee.

Which was read and concurred in.

Mr. Wynne, on behalf of the Committee on Finance to which was referred App. O. No. 8, 1902: An ordinance appropriating the sum of five thousand dollars (\$5,000) for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect.

Made the following report:

INDIANAPOLIS, April 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Finance, to whom App. O. No. 8, 1902, was referred, beg leave to recommend that said ordinance be amended by striking out the words "five thousand dollars (\$5,000)," in the title, and in Section 1, of said ordinance, that the words "twenty-five hundred dollars (2,500)" be inserted in lieu thereof.

And when so amended we recommend that the same do pass.

T. A. WYNNE, Chairman,
W. A. RHODES,
FRED W. EPPERT,
JNO. H. CRALL,
B. F. WYSONG,
JAMES E. BERRY,
JAMES D. MORIARTY.

Which was read and concurred in,

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 6, 1902: An ordinance appropriating the sum of sixteen thousand five hundred (\$16,500) dollars to and for the use of the Department of Law of the city of Indianapolis.

Made the following report:

INDIANAPOLIS, April 1, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 6, 1902, under consideration, and recommends that same do pass.

T. A. WYNNE, Chairman,
JNO. H. CRALL,
W. A. RHODES,
B. F. WYSONG,
JAMES E. BERRY.

Which was read and concurred in.

Mr. Eppert, on behalf of Committee on Ordinances, to which was referred Special Ordinance No. 4, 1901: An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, April 7, 1902.

Your Committee on Ordinances, to which was referred Special Ordinance No. 4, 1901, report that we have had same under consideration, and recommend that same be amended as follows, and when so amended, that same do pass.

FRED W. EPPERT,
W. H. WHEELER.

AN AMENDMENT TO SPECIAL ORDINANCE NO. 4, 1902.

In Section 1 striking out all that appears in the original Special Ordinance No. 4, and beginning after the sentence "All that territory bounded as follows," and finishing with the sentence, "Present corporation line of the city of Indianapolis Marion county, Indiana," and inserting in its stead the following: "Commencing at the present corporation line of the city of Indianapolis, Marion county, Indiana, at the intersection of the center line of North Meridian street and Thirty-eighth street; thence running east in the center line of Thirty-eighth street to the center line of Delaware street, in Washington township; thence south in the center line of North Delaware street, in Washington township, to a point one hundred and eighty-four and fifty-nine one hundredths feet (184 59-100) north of the north line of Thirty-fourth

street; thence east on the north line of lots Twenty-nine and Twenty-eight in Washington Park, to Central avenue; thence continuing east across Central avenue to a point one hundred and thirty-one (131) feet east of the east property line of Central avenue; thence south and 131 feet east of the east property line of Central avenue to the south bank of Fall Creek."

Which was read.

Mr. Crall moved that report be concurred in.

Which motion was lost.

Mr. Cooper, on behalf of a majority of Committee on Railroads, to which was referred G. O. No. 8, 1902: An ordinance approving a certain contract granting Indianapolis Hominy Mills the right to lay and maintain a switch or sidetrack across Madison avenue in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, April 7, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to whom was referred G. O. No. 8, 1902, recommends that same do pass.

LEW W. COOPER,

T. A. WYNNE,

J. S. HOLLIDAY.

Which was read.

Mr. Wolsiffer, on behalf of a minority of the Committee on Railroads, to which was referred G. O. No. 8, 1902, made the following report:

INDIANAPOLIS, April 7, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to which was referred G. O. No. 8, the same being an ordinance relating to a switch crossing Madison avenue, for the benefit of the Indianapolis Hominy Mills, which switch is commonly known as the Bates Switch, has considered said ordinance, and the undersigned minority of said committee respectfully reports and recommends that said ordinance do not pass.

JOHN WOLSIFFER.

Which was read.

Mr. Wolsiffer moved that minority report be substituted for majority report.

Which motion was lost by the following vote:

Ayes, 9, viz.: Messrs. Berry, Eppert, Kelly, Meyer, Moriarity, Wahl, Warweg, Wheeler and Wolsiffer.

Noes, 12, viz.: Messrs. Billingsley, Cooper, Crall, Holliday, McFarland, Negley, Rhodes, Shea, Sourbier, Wynne, Wysong and President Haldeman.

On motion of Mr. Crall, the majority report was adopted, by the following vote:

Ayes, 13, viz.: Messrs. Billingsley, Cooper, Crall, Holliday, McFarland, Negley, Rhodes, Shea, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Noes 8, viz.: Messrs. Berry, Eppert, Kelly, Meyer, Moriarity, Wahl, Warweg and Wolsiffer.

Mr. Holliday, on behalf of Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 18, 1902: An ordinance changing the names of portions of Lewis street, Malott avenue, Columbia avenue, Hill avenue, Hillside avenue, Valley avenue, Beech street, Lawrence street, Rural street, Bloyd avenue and Glenn Drive, to that of "Roosevelt avenue." Also changing the name of a portion of Nevada street to that of "Eighteenth street." Also changing the name of Parker avenue to that of "Winter avenue." Also changing the name of Holloway avenue to that of "Ingram street." And fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, April 8, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 18, 1902, recommend that Section 4 of said ordinance be stricken out, and that Section 5 be numbered Section 4. And that the words "Also changing the name of Holloway avenue to that of 'Ingram street,'" be stricken out of the title. And when so amended, we recommend that it do pass.

J. S. HOLLIDAY,
T. A. WYNNE,
FRED W. EPPERT,
W. A. RHODES.

Which read and concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 21, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-sixth day of March, 1902, between the city of Indianapolis, by and through its Board of Public Works, and Atlas Engine Works, granting permission, right and authority to said Atlas

Engine Works, its successors and assigns, to construct, maintain and operate, in addition to and in connection with the present siding track, switches and appurtenances, of said Atlas Engine Works, further tracks in and upon certain streets and alleys of the city of Indianapolis.

Whereas, heretofore, to wit, On the 26th day of March, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Atlas Engine Works, namely:

This Agreement, made and entered into this the twenty-sixth day or March, 1902, by and between the city of Indianapolis, of Marion county, in the State of Indiana, by and through its Board of Public Works, party of the first part, and Atlas Engine Works, a corporation existing by virtue of the laws of the State of Indiana, and located at Indianapolis in said State, party of the second part, Witnesseth:

Whereas, On the twenty-fourth day of March, 1902, said Atlas Engine Works filed with and presented to said Board of Public Works its petition in the words and figures following, to wit:

"The undersigned, Atlas Engine Works, a manufacturing corporation owning and operating a factory and plant consisting of lands, buildings, structures and appurtenances, parts of which lands lie immediately south of the tracks or right of way of the Belt Railroad and Stock Yards Company, and abut on both sides of Martindale avenue, Columbia avenue and Yandes street, finds it necessary, because of the increase of its business, to extend, enlarge and improve its plant and to add to and better its present track connections between different parts of its plant and with the railroads, and, for such purpose, respectfully prays permission to construct, maintain and operate, together with and in addition to its siding track, switches and appurtenances, further tracks particularly described as follows:

One track across Yandes street parallel with and thirteen (13) feet south of present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted, with a second track or switch, one rail of which lies entirely within said first described track across said street.

One track across first alley east of Yandes street parallel with and thirteen (13) feet south of present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted.

One track across Columbia avenue parallel with and thirteen (13) feet south of the present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted.

Two tracks across first alley east of Columbia avenue as follows: One track parallel with and thirteen (13) feet south of the present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted; and one track parallel with and twenty-six (26) feet south of present Atlas Engine Works siding, being five (5) feet south of the south line of Anderson street, now known as Twenty-first street, as originally platted.

One track or switch across Martindale avenue connecting with present Atlas Engine Works siding at the west end of bridge over the State ditch, being thirty (30) feet, more or less, west of the east line of Martindale avenue and one rail of said track or switch lying entirely within the rails of present siding across said street.

Together with all necessary or convenient switches and appurtenances.

Which additional tracks and the present siding track of your petitioner are shown by and in the drawing attached hereto marked Exhibit "B" and made part of this petition.

And your petitioner prays that such permission be granted upon such terms as may be arranged and agreed by and in a contract to be executed as by law provided.

And your petitioner will ever pray, etc.

ATLAS ENGINE WORKS,

By H. H. HANNA, President.

Now, Therefore, In consideration of the agreements and stipulations on the part of the party of the second part, its successors and assigns, hereinafter contained, and upon the condition that each and all of such agreements and stipulations, together with any and all other conditions herein named, shall be fully performed and abided by and by virtue of the power and authority conferred by the Act of the General Assembly of the State of Indiana, entitled "An Act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census and matters connected therewith, and declaring an emergency;" approved March 6, 1891; and the Acts amendatory thereof and supplemental thereto, the said party of the first part grants unto the said Atlas Engine Works, party of the second part, and its successors and assigns, permission, right and authority to locate, construct, maintain and operate, in addition to and in connection with the present siding track, switches and appurtenances of said party of the second part, further tracks approximately conforming at street and alley crossings to the following particular descriptions:

"One track across Yandes street parallel with and thirteen (13) feet south of present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted, with a second track or switch, one rail of which lies entirely within said first described track across said street.

One track across first alley east of Yandes street parallel with and thirteen (13) feet south of present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted.

One track across Columbia avenue parallel with and thirteen (13) feet south of the present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted.

Two tracks across first alley east of Columbia avenue as follows: One track parallel with and thirteen (13) feet south of the present Atlas Engine Works siding, being eight (8) feet north of the south line of Anderson street, now known as Twenty-first street, as originally platted; and one track parallel with and twenty-six (26) feet south of present Atlas Engine Works siding, being five (5) feet south of the south line of Anderson street, now known as Twenty-first street, as originally platted.

One track or switch across Martindale avenue connecting with present Atlas Engine Works siding at the west end of bridge over the State ditch, being thirty (30) feet, more or less, west of the east line of Martindale avenue and one rail of said track or switch lying entirely within the rails of present siding across said street."

Together with all necessary or convenient switches and appurtenances. And when and as any part, or parts, of the track connection

consisting of the present siding track of said Atlas Engine Works and the tracks of which the parts at the street and alley crossings are above particularly described, and all present and future switches, turnouts and appurtenances, and constituting the track connection in and west of Martindale avenue between the several parts of the factory and plant of said Works, and with the railroads shall, by opening of street or alley or otherwise, come to be upon a street or alley or other public place, the right to maintain and operate such part or parts of such track connections shall continue in full force.

And as conditions of said grant and of the permission, right and authority conferred hereby, said party of the second part, for itself and its successors and assigns, covenants and agree with said party of the first part, as follows:

1. The said track connections, including the present and the proposed tracks, with all switches and appurtenances, shall, at the street and alley crossings above specified, be laid, improved and kept in repair in such manner as to be safe for persons or for any vehicles, or otherwise, and shall at all times be subject to the orders of the Board of Public Works of the city of Indianapolis relating to the safety of persons and vehicles.

2. Said track connections, including the present and proposed tracks, with all switches and appurtenances, shall be laid at said street and alley crossing upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval, and shall be raised or lowered to conform to any grade which may from time to time hereafter be established when so ordered in writing by said Board.

3. At the street and alley crossings above specified, said track connections shall at all times be kept free from obstructions and shall be used only for the transportation, loading, unloading and handling raw materials, materials in process of manufacture, molten and cold metals supplies, manufactured products and other portable things carried from place to place in said factory and plant, or to and from railroads in the course of operation of said factory and plant; and no car or cars shall be permitted or suffered by said party of the second part to obstruct any of said crossings, or to be thereon except for such time as may be necessary in moving them back and forth and handling their contents.

4. Said party of the second part shall plank said tracks at said crossings, or otherwise make and keep the same passable for vehicles of all kinds; and if said party of the second part shall fail properly to maintain any plank or other crossing, the Board of Public Works of said city, after ten days' notice, may cause any necessary repairs to be done; and the party of the second part shall be liable for all the expense thereof.

5. Said party of the second part hereby binds itself to save said party of the first part harmless from any and all claims for damages growing out of the existence, maintenance or use of said track connections, and to pay any judgment, with costs, that may on that account be rendered against said city.

6. Upon continuous violation of any provision of this agreement on the part of the party of the second part, the privilege, right and authority hereby granted, may be terminated by the Board of Public Works of said city of Indianapolis. Whereupon said party of the second part shall immediately take up and remove said track connections from the street and alley crossings above specified, or, upon its failure so to do, said part of the first part may cause the same to be

taken up and removed, and shall not be liable or responsible to said party of the second part, its successors and assigns for so doing.

In witness whereof, This Agreement has been executed by said parties on the day and year first hereinabove written.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Approved:

CHARLES A. BOOKWALTER, Mayor.

ATLAS ENGINE WORKS,
H. H. HANNA, President.

Attest:

R. M. COFFIN, Secretary

And whereas, said contract and agreement have been submitted by said Board of Public Works of said city of Indianapolis to the Common Council of said city for its action thereon, Therefore:

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the foregoing contract and agreement, made and entered into on the 26th day of March, 1902, by the city of Indianapolis, by and through its Board of Public Works, and Atlas Engine Works, be and the same is hereby in all things ratified, confirmed and approved; and said Atlas Engine Works, its successors and assigns, is hereby granted the permission, right and authority as in said contract and agreement set forth, in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit, On the 2d day of April, 1902, James L. Keach, filed his petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, April 2, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, James L. Keach, owner of real estate abutting McGill street and Louisiana street, respectfully petitions your Honorable Board, asking permission to construct and maintain one switch or sidetrack in and along Louisiana street and across McGill street, for the purpose of entering the grounds of the said James L. Keach as follows: The center line of said proposed switch begins at a point in lot 27 in McGill's subdivision of square 93 in said city; thence crosses McGill street on a curve connecting with the tracks of the Terre Haute & Indianapolis Railroad Company at a point east

of McGill street, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked Exhibit "A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

JAMES L. KEACH.

Now, Therefore, This Agreement, made and entered into this 2d day of April, 1902, by and between James L. Keach, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth, That the party of the first part being desirous of securing a right of way for a switch or sidetrack across McGill street, in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract hereby covenants and agrees and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will, or cause others to, lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

1. It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

2. Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

3. The crossing where said sidetrack or switch intersects McGill street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

4. Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon his failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or causing the same to be done said Board shall in no wise become a trespasser.

5. The party of the first part agrees to plank between said sidetrack or switch; from property line to property line, of McGill street, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be exclusive judge) it shall be the duty of the said party of the

first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

6. The said party of the first part hereby binds himself to hold said party of the second part and said city harmless from any and all claims for damage growing out of the existence, maintenance or use of said track or switch, and pay any judgment, with costs, that may, on that account, be rendered against it or said city.

7. Any violation of any provisions of this instrument by said party of the first part, or by any one for him or at his instance or with his permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across McGill street in the city of Indianapolis, as follows:

The center line of said proposed switch begins at a point in lot 27 in McGill's subdivision of square 93 in said city; thence crosses McGill street on a curve connecting with the tracks of the Terre Haute and Indianapolis Railroad Company at a point east of McGill street, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof we have hereunto set our hands this 2d day of April, 1902.

JAMES L. KEACH,

By.....

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works, Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board to the Common council of the city of Indianapolis, Indiana, for its consideration and action; now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 23, 1902: An ordinance approving a certain contract giving the U. S. Encaustic Tile Works the right to lay and maintain a switch or sidetrack across Sixteenth street, in the City of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 9th day of January, 1902, the U. S. Encaustic Tile Works filed their petition before the Board of Public Works of the City of Indianapolis as follows:

PETITION.

INDIANAPOLIS, January 9, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned respectfully petitions your Honorable Board for permission to extend the switch of the United States Encaustic Tile Works from the place where it now stands to a point one hundred and sixty-three (163) feet north of the present terminus. In making said extension it will be necessary to cross Sixteenth street, and the alley north of Sixteenth street, alongside of and parallel with the main track now extending across said street and alley of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company.

We respectfully represent that it becomes necessary to extend said switch in operating the business of the undersigned United States Encaustic Tile Works; that the same will not be a detriment to the public; that the said railway company maintains a watchman at the crossing of the railroad and said Sixteenth street; that there is no crossing of the railroad at the said alley; that no cars will be allowed to stand on said switch within twenty feet of said street or alley crossing.

Your petitioner further represents that on November 8, 1900, your petitioner asked the Board of Public Works for an extension of said switch north 148 feet, that the same was recommended by the City Engineer and passed by the Board of Public Works. That since the action of said Board, your petitioner has learned by a conference with the Engineer of said railroad company that said switch will have to be extended north one hundred and sixty-three (163) feet instead of one hundred and forty-eight (148) feet in order to make the proper clearance of the main track of said railroad company.

Wherefore your petitioner prays that the within petition be granted.

Respectfully,

UNITED STATES ENCAUSTIC TILE WORKS,

By CHAS. M. COOPER, Vice-President.

Now, Therefore, This agreement, made and entered into this 9th day of January, 1902, by and between U. S. Encaustic Tile Works of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth: That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Sixteenth street, in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds himself, his successors, legal representatives and assigns that, in consideration of the grant of the privileges and authority herein given, he will, or

cause others to lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

1. It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

2. Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad track with which said sidetrack or switch is or may be connected.

3. The crossing where said sidetrack or switch intersects Sixteenth street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

4. Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon his failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch, or causing the same to be done, said Board shall in no wise become a trespasser.

5. The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, of Sixteenth street, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

6. The said party of the first part hereby binds himself to hold said party of the second part and said city harmless from any and all claims for damage growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

7. Any violation of any provisions of this instrument by said party of the first part, or by any one for him or at his instance or with his permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract; provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States

census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Sixteenth street and the alley north of Sixteenth street, in the city of Indianapolis, as follows:

The center line of the proposed switch is described as follows: Beginning on the south property line of Sixteenth street at a point 12 feet 10 inches west of the center of the main track of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company, thence north parallel to and 12 feet 10 inches from said main track 163 lineal feet, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

In witness whereof we have hereunto set our hands this 7th day of April, 1902.

UNITED STATES ENCAUSTIC TILE WORKS,

By CHAS. M. COOPER, Vice-President.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works, Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board to the Common Council of the city of Indianapolis, Indiana, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 24, 1902: An ordinance approving a certain contract granting to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and W. J. Holliday & Company the right to lay and maintain two switches or sidetracks, the first crossing Chesapeake street and the second crossing Georgia street, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 17th day of February, 1902, W. J. Holliday & Company and the Cleveland, Cincinnati, Chicago & St. Louis Railway Company filed their petition before the Board of Public Works of the City of Indianapolis as follows:

PETITION.

INDIANAPOLIS, Ind., February 17, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—Whereas, W. J. Holliday & Company desire certain sidetrack facilities on property lying between Chesapeake and Georgia streets adjoining Missouri street on the east, to be used for mer-

cantile purposes in connection with their business, requiring a sidetrack to begin at a point in Missouri street about seven (7) feet north of the north line of Chesapeake street and extending thence southward in a sixteen (16) degree reverse curve along Missouri street and across Chesapeake street to the warehouse property, total length of said sidetrack being two hundred and thirty-two (232) feet; also, in order to bring about this arrangement, making it necessary to connect the sidetrack used by Parkhurst Bros. and others with the main track in Missouri street at a point about thirty-five (35) feet north of the north line of Georgia street, this being a shifting of the track connection of said switch. In the event the above arrangement is approved by the Board of Public Works, the petitioner will remove the switchstand from Chesapeake street and also that part of the Parkhurst Bros. track extending southward therefrom to a point about twenty (20) feet north of the south line of Georgia street, so that the new arrangement will not add any additional burdens on the streets mentioned.

THE CLEVELAND, CINCINNATI, CHICAGO & ST. LOUIS RAILWAY COMPANY.

By J. Q. VAN WINKLE, General Superintendent,
W. J. HOLLIDAY & COMPANY,
By W. J. GOODALL, Secretary.

Now, Therefore, This agreement, made and entered into this day of, 1902, by and between the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and W. J. Holliday & Company, parties of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth: That the parties of the first part being desirous of securing rights of way for two switches or sidetracks in and along Missouri street, the first of which is to cross Chesapeake street, and the second to cross Georgia street, in the city of Indianapolis, said sidetracks to replace two sidetracks or switches now maintained in and along Missouri street, all of which is more specifically described in the petition of the first parties hereto attached, and made a part of this contract, hereby covenants and agrees and fully bind themselves, their successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, they will lay, construct and maintain said switches or sidetracks upon the terms and conditions hereinafter set forth, to wit:

1. They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

2. Said sidetracks or switches shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetracks or switches shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetracks or switches or the railroad tracks with which said sidetracks or switches are or may be connected.

3. The crossings where said sidetracks or switches intersect Chesapeake street and Georgia street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings, or to be

thereon, except for such time as may be absolutely necessary in moving them back and forth and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

4. Said parties of the first part agree, at the pleasure and written order of said Board, to take up and remove said sidetracks or switches, and upon their failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done. And the parties of the first part hereby release all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetracks or switches or in causing the same to be done said Board shall in nowise become a trespasser.

5. The parties of the first part agree to plank between said sidetracks or switches, from property line to property line of Chesapeake street and Georgia street, to the entire satisfaction of the second party; and in case said sidetracks or switches shall be or become out of repair or in need of being reconstructed or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said parties of the first part to promptly remove or repair the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said parties of the first part and for which expense and cost the said parties of the first part shall be liable.

6. The said parties of the first part hereby bind themselves to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said tracks or switches, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

7. The said parties of the first part hereby agree that, in consideration of the privileges herein granted they will take up and remove the switch or sidetrack now maintained in and along Missouri street and the switch or sidetrack now crossing Georgia street, both of which are more specifically described in the petition of the parties of the first part.

8. Any violation of any provisions of this instrument by said parties of the first part, or by any one for them or at their instance or with their permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause at the pleasure of said Board, as hereinbefore set forth in clause four of this contract.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding and matters connected therewith and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated hereby gives, grants and duly vests parties of the first part the right, privilege and authority to lay and maintain two switches or sidetracks, one crossing Chesapeake street and the other crossing Georgia street in the city of Indianapolis, as follows: The center line of the first proposed switch begins at a point in the center of the main track of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company, the said point being seven feet north of the north property line of Chesapeake street; thence in a curve line in a southeasterly direction to a point in the east line of Missouri street, the said point being sixty-three (63) feet south of the south line of Chesapeake street; the center line of the second proposed switch begins at a point

in the center of the main track of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company, the said point being thirty-five (35) feet north of the north line of Georgia street; thence in a curve line in a southeasterly direction to a point in the center line of the present sidetrack, the said point being eleven (11) feet east of the east line of Missouri street and seven (7) feet north of the south line of Georgia street. All as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In witness whereof we have hereunto set our hands this 7th day of April, 1902.

THE C., C. & ST. L. RY. CO.,
By J. Q. VAN WINKLE, General Supt.
W. J. HOLLIDAY & CO.,
By W. J. GOODALL, Secretary.

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works, Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board to the Common Council of the city of Indianapolis for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set out be and the same is hereby, in all things, confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Shea:

G. O. No. 25, 1902: An ordinance changing name of Meek street.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the thoroughfare in said city heretofore known and designated as Meek street, which extends from Liberty street to Leota street, in said city, be and the name thereof is hereby changed to Maryland street, and hereafter said thoroughfare, extending from said Liberty street to said Leota street (and known as Meek street) shall take the name of and be known as Maryland street.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Shea:

G. O. No. 26, 1902: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to keep and maintain flagmen at English avenue and Fletcher avenue crossings.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the Cleveland, Cincinnati, Chicago & St. Louis Railway Company be and the same is required to station, maintain and keep at the crossing of its tracks over and upon Fletcher avenue and

English avenue, in the city of Indianapolis, flagmen to notify and warn travelers, passers-by and the traveling public of the approach of trains, cars and engines, propelled along, over and upon said tracks of said company. That on and after taking effect of this ordinance said Cleveland, Cincinnati, Chicago & St. Louis Railway Company shall station a flagman at each of said crossings, herein mentioned, for the purposes herein recited, and failing, neglecting and refusing so to do, shall be subject and liable to penalties mentioned and provided in section 2 of this ordinance.

Sec. 2. That on and after passage of this ordinance, and due publication thereof, said Cleveland, Cincinnati, Chicago & St. Louis Railway Company shall be deemed guilty of a violation of the provisions of this ordinance for each day it shall fail, neglect or refuse to so station and maintain said flagmen at said crossings, as provided in section 1 of this ordinance, and for each such day it shall neglect or refuse to so maintain and keep said flagmen at said crossings, it shall be subject to a fine of not less than five dollars, nor more than twenty-five dollars, to be recovered as other penalties are recovered.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Billingsley:

G. O. No. 27, 1902: An ordinance providing for the inspection and testing of gas meters and for determining the purity and illuminating power of illuminating gas by the City Engineer, and providing for notice of the inaccuracy of meters and making it a misdemeanor for any company furnishing illuminating gas to refuse or neglect to correct inaccurate meters within twenty-four hours after receiving notice, and providing a penalty therefor; and providing a forfeiture for furnishing impure gas.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it shall be the duty of the City Engineer of the city of Indianapolis, upon the written request of any consumer, to have the meter supplying him with gas tested, to call at the residence or place of business of the consumer, and disconnect the meter from the service pipe of the gas company supplying gas through the said meter, to bring the same to his office or any other place as may be provided for testing meters; and the said City Engineer shall thereupon prove and test the meter to ascertain its accuracy; and, in the event of the meter proving accurate the consumer is required to pay to the City Engineer the sum of twenty-five (25) cents for such inspection. The said Engineer shall give a receipt therefor and pay such collections on the following Saturday to the City Comptroller. And if the meter prove incorrect, the consumer is to be at no expense for the said test; and the City Engineer is, thereupon, required to immediately notify the gas company of the inspection, in writing, stating the percentage of inaccuracy, and order the placing of a correct meter in place of the one proving incorrect; and any refusal or neglect on the part of such company to do so within twenty-four hours after receiving due notice, shall be deemed a misdemeanor, and upon conviction said company shall be fined ten dollars (\$10).

Sec. 2. It shall also be the duty of the City Engineer to inspect, test and determine the purity and illuminating power of the illuminating gas furnished by any gas company, person or persons in this city, to consumers, and to report to the Mayor at least once in each week in writing the condition of such gas as to purity and illuminating power. He shall make his test weekly, and in case of failure to supply gas by any gas company according to the terms of contract entered into by the city, under any ordinance, he shall notify in writing the Mayor, and the company so failing; and in case of failure for three consecutive days to furnish gas of the standard required by contract under any ordinance, such company shall forfeit and pay to the city of Indianapolis the sum of two hundred and fifty (250) dollars for the third day and for each succeeding day, and said City Engineer shall collect from the company so failing, after giving such company notice in writing on each day of such failure, the sum of two hundred and fifty (250) dollars for such third day and each succeeding day until the gas is of the standard and quality provided for in said contract, and pay the same to the City Comptroller, taking a receipt for the same. And upon the failure of such company to pay the amount so forfeited to the City Engineer the city shall have a right of action therefore against such company. And in case of failure to supply illuminating gas according to the standard provided by any contract or ordinance occasioned by some unavoidable accident, the penalty provided for in this section shall not be enforced; but no such penalty shall be remitted until satisfactory proof shall be furnished by said gas company to the Mayor that such accident was not caused through any negligence on the part of said company, and was of such character as to render said failure unavoidable.

Sec. 3. This ordinance shall be in force from and after its passage and publication once each week for two consecutive weeks in the Daily Reporter, a newspaper having a general circulation in said city.

Which was read a first time and referred to Committee on Judiciary.

By Mr. Billingsley:

G. O. No. 28, 1902: An ordinance to authorize the inspection of scales, weights and measures, the appointment of an inspector, and defining his duties and compensation.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That from and after the taking effect of this ordinance there shall be a regulation of scales, weights and measures within the city of Indianapolis, and the standard adopted by the State of Indiana and of the United States shall be the test by which they shall be compared and determined.

Sec. 2. Standards, Beams, Scales and Other Instruments.—The Comptroller, upon the requisition of the Inspector of Scales, Weights and Measures, shall procure, or cause to be procured, at the expense of the city, correct and approved standards with their several necessary subdivisions, together with proper beams, scales and measures for the purpose of testing and proving the weights, scales and measures to be used in the city of Indianapolis.

Sec. 3. Inspector.—How Appointed.—Term and Bond of Office.—His Duties.—There shall be appointed by the Mayor of the city of Indianapolis, Indiana, a competent person as Inspector of Scales, Weights and Measures, who shall hold his office for the term of two years, or

until his successor is appointed and qualified. Vacancies shall be filled by the Mayor for the unexpired term. The duty of the Inspector shall be to preserve and safely keep the standards provided for him by the city, and when required, to deliver them to the Mayor, or such other person as may be appointed to receive them, and to faithfully perform the several duties of said office, and before he shall enter upon the duties of his office he shall be qualified as is required in other city departments. He shall also give bond to the city of Indianapolis in the penal sum of two thousand dollars (\$2,000), with approved securities, conditioned for the faithful performance of all the duties appertaining to his office as Inspector and Sealer of the Standard of Weights and of Liquid, Dry and Long Measure, and for the safe return of the city's property.

Sec. 4. Weights, Scales and Measures—How Stamped, Etc.—After three months shall have expired from the taking effect of this ordinance all weights, scales and measures within the city of Indianapolis used in the purchase and sale of articles shall be inspected and stamped, or branded, by the Inspector before being used, under a penalty of not less than five dollars (\$5) nor over twenty-five dollars (\$25.00) for each offense, together with the costs of prosecution, to be paid by the person owning or using the same. The character or letters to be stamped or branded on the scales, weights or measures to be used shall be I. S., meaning thereby Indianapolis Standard, and shall be placed in such a manner and on or near said scales, weights and measures as in the judgment of the Inspector may be most lasting and effectual in preventing or detecting fraudulent practices in the use of such scales, weights and measures, and the like inspection shall be repeated once in every year, and the branding or stamping renewed when necessary. Provided, however, The inspector may inspect scales, weights and measures at other times if he has any reason to suspect that the same are not true and correct as required by this ordinance; and such scales, weights and measures so examined and branded, or stamped, as aforesaid, and no other, shall be used in the city of Indianapolis in the purchase and sale of articles as are directed by law to be or are usually sold by weight or measure under the penalty of not less than five dollars (\$5.00) or more than twenty-five dollars (\$25.00), and any person or persons convicted of counterfeiting said brand or stamp, or of branding on any measure any other letters for the purpose of deception, shall forfeit any pay for every such offense on conviction before the Police Court the sum of one hundred dollars (\$100.00) and the costs of prosecution.

Sec. 5. Penalty for Refusing to Exhibit.—Any person refusing to exhibit any scales, weights or measures, or beams, or other weighing instruments, to the Inspector, on his demand, for the purpose of having them so examined, shall be deemed guilty of a misdemeanor, and on conviction thereof before the Police Court shall be fined in any sum not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), together with the costs of prosecution.

Sec. 6. Condemned Weights and Measures.—That if, upon any examination, the Inspector and Sealer of Scales, Weights and Measures shall find any balances, platforms, beams or any other character of scales, weights or measures untrue, he shall notify the owner, or his agent, and any person who shall afterward use such condemned balances, platforms, scales or measures, unless the same shall have been readjusted and stamped or branded by the Inspector and Sealer of Scales, Weights and Measures, shall forfeit and pay for each offense a sum of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) with costs of prosecution, for every day they are so used, and it shall be the duty of the Inspector to seize said false scales,

weights or measures, and after having the same adjusted to sell them at public auction, and pay the proceeds of such sales to the City Comptroller.

Sec. 7. Fees, Etc.—The Inspector and Sealer of Scales, Weights and Measures shall charge for examining, testing and certifying, as herein required, as follows, viz: Any steelyard, beam, ground-floor platform, counter or other scale upon which may be weighed less than six pounds, twenty-five cents each; any such instrument upon which may be weighed six hundred pounds or over, and under twelve hundred pounds, fifty cents each; any such instrument by which twelve hundred pounds or over, and under twenty-five hundred pounds, seventy-five cents each; any such instrument by which may be weighed twenty-five hundred pounds or over, and under four thousand pounds, one dollar each; any store, wagon, depot, hopper, hog, stock, hay, coal or other scales, by whatsoever name known or called, upon which may be weighed four thousand pounds or over, two dollars each; any track scale, or scales, used for weighing railroad cars, five dollars each; one set of weights shall, as to the compensation of the Inspector of Scales, Weights and Measures, be considered a part of the scale; any additional weight, or set of weights, shall be charged for at the rate of twenty-five cents per set. Any yardstick or yard measure, ten cents each. Any dry or liquid measure (not in sets) five cents each. Any nest or set of measures, twenty-five cents per nest or set. Measures containing more than one gallon, five cents per gallon shall be charged for each additional gallon which the measure contains. All charcoal measures, fifteen cents each. Any person or persons detected in altering or changing any weights, scales or measures so as to weigh or measure more or less than the weight or quantity certified, any person or persons convicted of a misdemeanor under this section before the Police Court of this city, shall be fined in the sum of not less than five nor more than one hundred dollars, together with the costs of prosecution.

Sec. 8. Fees for Subsequent Inspection.—The Inspector of Scales, Weights and Measures shall for a second or subsequent inspection of scales, weights or measures, or other things used as prescribed in section 7, charge and receive the same fees as for the first inspection specified in the section last above named.

Sec. 9. Book of Record to be Kept and Reports to be Made, Etc.—The Inspector of Scales, Weights and Measures shall keep a book, in which he shall record all the names of the persons whose scales, beams, weights and measures he has examined, adjusted, sealed or branded, together with the day of the month and year and the number and description of the same, together with fees charged and received. He shall make for each month, on or about the first of the succeeding month, a report to the City Comptroller, which report shall be in writing, and which shall show the amount of money received, and shall be made under oath. And the book required to be kept by him, as herein provided, he shall submit to the inspection of the Finance Committee of the Common Council once in each year, or oftener if they so require. And at the expiration of his term of office for which he has been appointed, he shall deposit said book with the City Clerk as the property of the city.

Sec. 10. Fees Collected, Etc.—It shall be the duty of the Inspector of Scales, Weights and Measures to pay all moneys collected as fees in the discharge of the duties of his office to the City Comptroller weekly and take receipts therefor.

Sec. 11. Employment of Assistants.—The Inspector of Scales, Weights and Measures shall employ, with the approval and consent of

the Mayor, two or more suitable and competent persons as assistants, who shall receive for their services the sum of two dollars per day each, to be paid out of the city treasury monthly for the number of days employed during the month. The said assistants shall be under the direction and control of the Inspector of Scales, Weights and Measures, and shall perform such duties as the said Inspector of Scales, Weights and Measures shall direct and he may, whenever in his opinion the interests of the city shall be subserved thereby, dismiss any of said assistants, and may appoint other assistants in their stead, with the approval of the Mayor.

Sec. 12. Salary of Inspector of Scales, Weights and Measures.—The Inspector of Scales, Weights and Measures shall receive from the city as compensation for his services the sum of twelve hundred dollars per annum, payable monthly.

Sec. 13. City to Furnish Horses and Wagons.—For the use of the Inspection Department, the city shall supply and furnish, and provide for the keeping thereof, two horses and wagons for the efficient administration of the Inspection Department e

Sec. 14. Dairymen, Hawkers, Etc.—Duties of.—All dairymen using measures in the sale of milk, hawkers, peddlers, junk or rag dealers, who have no regularly established place of business, using scales, weights or measures, or other things to weigh or measure by, shall have the same inspected and tested by the Inspector of Scales, Weights and Measures at his office between the hours of 9 and 11 a. m. Any dairyman, hawker, peddler, junk and rag dealer who fails to comply with this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars nor more than ten dollars, together with the costs of prosecution.

Sec. 15. Owners or agents of any firm or company having store, wagon or track scales for which certificate of weight is furnished with articles weighed may stamp said certificate with fac simile of official stamp showing date of last inspection of said scale, if they so desire.

Sec. 16. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

Sec. 17. This ordinance shall take effect from and after its passage and publication one day each week for four successive weeks in The Daily Reporter, a newspaper of general circulation, printed and published in said city.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Holliday:

G. O. No. 29, 1902: An ordinance to ascertain and fix the price at which natural gas shall be supplied to the inhabitants of the city of Indianapolis.

Whereas, It is provided by section 11 of the ordinance of the city of Indianapolis entitled, "An ordinance authorizing corporations, firms, companies or individuals to lay and maintain pipes in the streets, alleys, avenues, lanes and public grounds in the city of Indianapolis for the purpose of supplying said city and its inhabitants with natural gas for heating and illuminating purposes," approved June 27, 1887, that the power is expressly reserved to the Common Council of said city to revise and refix the rates fixed and established by said ordinance at

any time after the expiration of ten years from the date of the passage of said ordinance, which time has expired.

Therefore, be it ordained, By the Common Council of the city of Indianapolis:

Section 1. That from and after the taking effect of this ordinance natural gas shall be supplied in accordance with the provisions of said ordinance of June 27, 1887, to said city and its inhabitants by all companies, firms or individuals engaged in supplying natural gas under the provisions of said ordinance, and so long as they shall retain and exercise the rights granted by said ordinance, at and for the rate and price which they shall be entitled to demand and receive monthly from each consumer of one dollar, and no more, for each month in which his consumption does not exceed four thousand cubic feet, and of twenty-five cents, and no more, for each one thousand cubic feet of such gas supplied in each month to such consumer in excess of four thousand cubic feet. Such gas shall be supplied and used by meter measurement exclusively, and it shall be the duty of any company, firm or individual now or hereafter engaged in supplying natural gas to said city and its inhabitants to furnish and set, on or before.... day of.... 190... in proper working order for each consumer supplied by said company, firm or individual, a suitable and accurate meter whereby the amount of gas supplied to such consumer may at all times be correctly measured and ascertained, and for which amount, and no more, the consumer shall be liable to pay at the rates and prices aforesaid, which meter shall be so furnished and set without any expense to the consumer, and without any charge for the use of the same, and from and after said... day of, 190..., each company, firm or individual engaged in supplying natural gas in said city under the provisions of said ordinance, shall furnish and set such meters upon demand for all persons becoming consumers after said date: Provided, however, That a deposit which shall not exceed the amount, reasonably estimated, of one month's maximum gas bill may be required to secure the payment of gas bills.

Consumers until meters are supplied or tendered shall make payment for gas furnished to them respectively at the schedule of prices prescribed and fixed by said section 11 of said ordinance.

Sec. 2. It shall be unlawful for any company, firm or individual engaged in supplying natural gas in said city to require payment of any sum from any consumer of natural gas for putting in any service connection, or for furnishing or setting any meter, or for the use of any meter, and for each and every violation of this section any such company, firm or individual shall be subject to a penalty of \$...., to be recovered by said city in a suitable action.

Sec. 3. For failure to furnish and set meters as herein required within the time limited, or upon demand to consumers becoming such after said time, each company, firm or individual so failing shall be subject to a penalty of \$.... for each day such failure shall continue after the expiration of such time, or after such demand, to be recovered by said city in a suitable action.

Sec. 4. All provisions of section 2 or any other section of said ordinance of June 27, 1887, or of any other ordinance of said city, prescribing a schedule of rates or prices, or otherwise inconsistent herewith are hereby repealed in so far as they are inconsistent.

Sec. 5. This ordinance shall take effect from and after its passage and publication as required by law.

Ordained and established this day of, 1901.

Which was read a first time and referred to Committee on Contracts and Franchises.

MISCELLANEOUS BUSINESS.

Under this order of business the following communications were offered:

Mr. Billingsley moved that all communications relating to the gas question, be referred to Committee on Contracts and Franchises, without reading.

Mr. Moriarity moved to lay Mr. Billingsley's motion on the table.

Which motion was lost. Whereupon Mr. Billingsley's motion was carried.

Office of
THE INDIANAPOLIS GAS COMPANY.
INDIANAPOLIS, March 19, 1902.

Hon. Charles A. Bookwalter, Mayor of the City of Indianapolis:

My Dear Sir—I have the honor to hand you the enclosed communication from Mr. F. S. Hastings, President of the Indianapolis Gas Co., addressed to yourself and the Common Council of the city, and request that you kindly submit the same to the Common Council, and oblige.

Your very respectfully,

JOHN R. PEARSON,
Asst. to Prest.

To Hon. Charles A. Bookwalter, Mayor, and the Common Council of the City of Indianapolis:

The natural gas situation has become such that unless the ordinance under which the companies supplying Indianapolis operate is amended so as to secure payment for the gas brought to the city at rates commensurate with its increased cost and at the same time make it to the interest of the consumers to use the gas without waste, it will be impossible for the companies to continue business. The use of meters is the only method by which these results can be attained.

The first users of natural gas, believing that it existed in unlimited quantities, brought into use the crudest and most wasteful appliances, and notwithstanding the warnings of everybody in the gas field, they continue these methods, which require three or four times the volume of gas needed for good and efficient service. The authorities in many towns and cities seem pledged to compel the companies to continue this barbarous custom, apparently ignorant of the fact that communities which have adopted modern appliances receive the benefit of a saving to the customer and with profit to the companies. Hundreds of thousands of dollars have been expended by the Indianapolis Gas Company to procure and transport gas to Indianapolis in the vain attempt to keep up a supply, with rapidly diminishing revenues as a result. The securities which have been issued to obtain this supply are facing a rapidly vanishing asset—a condition which the stockholders and directors are practically unanimous in declaring must cease at once. The amount thus expended by The Indianapolis Gas Company from February 1, 1896, to January 31, 1900, was \$406,679.

The following facts are submitted to show the conditions as they now exist as compared with the situation when the present ordinance was passed:

In 1888 the supply for Indianapolis was obtained from Hamilton county in the vicinity of Noblesville, a distance of twenty miles. The rock pressure of the wells in that vicinity and throughout the Indiana field was 325 pounds to the square inch. Pumping plants were not needed, but, instead, reducing stations were required at the city limits and intermediate points on the high pressure main lines to reduce the pressure to a point at which it could be safely turned into the low pressure mains within the city.

The Consumers Gas Trust Company used thirty-two wells and the Indianapolis Gas Company twenty-five. The Trust Company's main line to the field was only twenty-five miles long and was composed of 10, 12 and 16-inch pipe. The Indianapolis Company used a single line of 12-inch pipe only twenty-two miles long. The consumers of both companies were abundantly supplied in all seasons and for all purposes—manufacturing as well as domestic—by gas brought by natural pressure alone through these main lines from the fifty-seven wells. The Hamilton county field soon began to fail, and after a few years could no longer be depended upon, and was practically abandoned.

The main lines were thereupon extended further into the field and their number and capacity increased. The head of the Trust Company's line is now in Grant county, sixty-two miles from Indianapolis, and that of the Indianapolis Company in the same county sixty-seven miles from Indianapolis, from which county and the northern parts of Madison and Delaware counties—the best part of the entire natural gas field—almost the entire supply for Indianapolis has been obtained for several years.

The Indianapolis Company now has two 10-inch main lines in the field, in addition to its original 12-inch line, which has been extended by two 8-inch lines. It has twenty-two miles of 12-inch, sixty-one miles of 10-inch, forty-three miles of 8-inch and eleven miles of 6-inch pipe, and, with branch and field lines, 171 miles in all, outside of the city limits, all of which is used in bringing gas to the city. The pressure and capacity of the wells in the main field have decreased to such an extent that the Indianapolis Company has in use and maintains by payment of rental 246 wells and the Trust Company probably as many more. The average well pressure March 1, 1902, was only sixty-three pounds to the square inch. The pressure in the best newly drilled wells seldom exceeds 115 pounds, and the yield of such wells is, as a rule, not more than one-fifth of what it was in 1888-1890.

In 1896 the Indianapolis Company built a pumping plant one mile east of Strawtown, about thirty-two miles from Indianapolis, of 2,000 H. P. capacity at a cost of \$94,317.67. In 1897 a second station was built at the same point of 3,000 H. P. capacity, at a cost of \$95,477.69. In 1900 a third station was built at a point six and one-half miles northeast of Elwood, about fifty-two miles from Indianapolis, by erecting a new boiler plant of 2,100 H. P. capacity, and by changing four of the compressors from the Strawtown station to the Elwood station, at a cost of \$48,185.84, making the total capacity of both stations 5,000 H. P., with a total cost of \$237,981.20.

The Trust Company operates two pumping plants of about the same capacity.

All these plants have been used to their full capacity, but under the present system of using the gas it has been impossible to bring a sufficient supply to the city.

The enormous extension of main and field lines and depreciation in their condition and that of the city lines from use for a series of

years, the drilling and maintenance of the largely increased number of wells, the operating and other expenses of the pumping plants, the increased rental of gas lands, thousands of acres of which the companies are required to carry in order to have a source of supply, the large increase of taxation in recent years and other items of expense, have added to the operating expenses of the companies from year to year, so that now they are double what they were ten years ago. In the future the increase will be in an even greater ratio.

On the other hand, the receipts in the last three years, of the Indianapolis Company from natural gas have fallen off \$185,012 of which \$59,586 was lost in the last year.

The practice of using natural gas by contract without measurement is without parallel in the sale of any other commodity. We might as well consider an ordinance requiring coal dealers in Indianapolis to supply coal to consumers for a lump sum per annum, and then allow them to help themselves and waste the coal, throwing their windows wide open in warm weather and allowing the heat to escape, just as they do with natural gas where meters are not used. How long could coal dealers continue in business?

Full warning has been given to consumers by the company that the supply of natural gas in the field is constantly waning, and joint circulars have been issued to the consumers by the Consumers Gas Trust Company and The Indianapolis Gas Company, under date of June 28, 1900, in which the facts were fully set forth. In that circular the consumers were advised that the city authorities were fully informed as to the success which the plan of selling natural gas by meter had met in Pittsburg, Allegheny, Buffalo, Erie, Dayton, Detroit, Richmond and other cities. Committees of the Indianapolis Board of Trade visited some of these cities, made a thorough investigation, and reported that with meters at 25 cents, 27½ cents and 30 cents per thousand cubic feet, the conditions were satisfactory, so long as modern appliances were used.

On November 15, 16 and 17, 1900, outside and independent inspectors were employed and made an inspection at random of appliances used by seventy-four consumers of natural gas connected with the mains of The Indianapolis Gas Company, and found that seventy-two out of the seventy-four consumers, whose places were inspected, were using the gas from bored-out mixers, in spite of the existing law prohibiting such wastage.

It is true that some of the smaller cities and towns throughout the State of Indiana are still selling gas by contract system; but the price in Indianapolis is lower than in any other city in the State, or in any other State. Taking ordinary cooking stoves as a basis for comparison, it will be found that in Indianapolis the ordinance restricts the company to \$12 per annum. The following statement shows the prices charged in other cities and towns in the State:

Richmond, \$30; Connersville, \$27; Ft. Wayne, \$26.64; Lebanon, \$24; Crawfordsville, \$24; Peru, \$24; Lafayette, \$24; Bluffton, \$22; Wabash, \$20.

For heating stoves in Indianapolis the price is \$7 per annum. The following are the prices charged in other cities:

Peru, \$27; Ft. Wayne, \$27; Richmond, \$27; Connersville, \$24; Bluffton, \$21.

For furnaces in residences the price allowed in Indianapolis is \$20 per annum; while the following prices for the same service are or were charged in other cities:

Connersville, \$48; Richmond, \$42; Lafayette, \$40; Crawfordsville, \$39; Lebanon, \$39; Wabash, \$37.50; Peru, \$37.50; Ft. Wayne, \$37.50; Logansport, \$35.

Taking the average of these, the following statement shows the percentage of rates for different appliances higher than Indianapolis:

Heating stoves, 144 per cent.; cooking stoves, 78 per cent.; house furnaces, 79 per cent.; grates 83 1-3 per cent.

In spite of this astonishing difference in price, the people of Indianapolis use an amount of gas, carefully estimated at from three to four times the amount used by the same number of consumers in other cities under the meter system. It clearly follows that if proper appliances were used, and the wastage of gas stopped, the quantity of gas brought to Indianapolis would be only one-fourth, or possibly one-third of the quantity now consumed, and yet every customer would have good service, with plenty of pressure.

In Chicago, natural gas is sold by meter, and the price paid is 50 cents per thousand cubic feet, at retail, and 30 cents per thousand cubic feet at wholesale. Through the courtesy of the officers of the People's Gas Light & Coke Company, representatives of the Indianapolis Gas Company were permitted to make a thorough examination of the situation in Chicago, including an examination of the company's books. It was found that among the customers paying fifty cents per thousand cubic feet by meter, there were nearly 5,000 consumers whose bills were less than 50 cents per month. These were customers using stoves for cooking purposes only; hence, at 50 cents per thousand cubic feet, the poor man in Chicago does his cooking with natural gas for \$6 per year, while in Indianapolis by the ruinous contract system he pays \$12 per year, and in other cities, as has been shown by the foregoing statement, from \$20 to \$30 per year. This surprising difference is due entirely to the use of modern appliances.

In Chicago it was found that among the wholesale consumers, who pay for natural gas at 30 cents per thousand cubic feet, where it is used with less economical appliances, and rather extravagantly in large quantities, the price was better than anthracite coal at \$6.50 per ton.

At these prices in Chicago (30 cents to 50 cents per thousand by meter) the demand for gas has increased so enormously during the past three years, that the people interested in the supply of natural gas have doubled the facilities of the plant at an expenditure of about \$2,000,000, and yet the volume of gas used in Chicago is vastly less than the volume used on a cold day in Indianapolis.

Conservative engineers have estimated that with a meter service and careful use of the natural gas in Indianapolis, one-quarter of the quantity supplied to-day would give satisfactory service to the consumers, and the supply in the field would last proportionately longer.

In Chicago 2,000 or 3,000 customers were furnished for house heating by the company on the contract system before the folly of such practice was discovered. Five years ago this system was abandoned and meters substituted. An investigation prior to this substitution developed the fact that people using gas by contract in cold weather, when the temperature moderated, instead of reducing their fires, would allow their furnaces to run full blast and open all of the windows in the house, allowing the heat to escape. This wasteful practice was, of course, stopped as soon as the customers were using meters.

It is estimated in Indianapolis the ordinary base burner for heating will use forty cubic feet of natural gas per hour, while the open grate will not burn less than sixty cubic feet per hour. In Chicago exactly the same results have been obtained with nine cubic feet of natural gas per hour.

In Pittsburg, some fifteen years, ago, George Westinghouse was selling natural gas by contract to large manufacturers, including smelters. So flagrant was the wastage of this valuable product that the consumers, when they found the pressure a little higher than required,

would open the blow-off pipe and allow the gas to escape into the air. Mr. Westinghouse found that he was getting less than one cent per thousand cubic feet for his gas.

As an example of the value of this product to the manufacturer, Mr. Flagler, then manager of the National Tube Works, at McKeesport, stated that the amount of gas he was using was the equivalent of \$350,000.00 per annum in coal.

Mr. Westinghouse, in order to discontinue the supply of gas to manufacturers and others by the contract system, finally procured by resolution of the Common Council authority for the use of meters and the price was then fixed at 25 cents, since which it has been advanced to 27 1-2 cents. At first there was some little dissatisfaction among the consumers, because they had acquired the habit of wasting the gas. Plans were immediately inaugurated, however, by which stoves were supplied to the poorest customer at prices and upon terms of payment which brought the gas within easy reach of the poorest customer, with the result that entire satisfaction as to the cost of the fuel was promptly established, and a much better service secured.

The reason why the poorest consumer can afford to pay 25 to 50 cents per thousand cubic feet for this fuel is apparent, when its comparative value as a fuel is considered. The heat units per volume of the three best known commercial gases have been determined by economical analysis and experiments as follows:

Ordinary naphtha, or gasoline gas, 350; ordinary city illuminating gas, 600; natural gas, 1,000.

But by far the most conclusive proof that natural gas is cheaper at even 50 cents per thousand cubic feet, outside of the question of its greater efficiency, is found in the enormous use of artificial city illuminating gas in cities and towns all over the United States, and in fact throughout the world.

Commencing with London, England, we find among the poor people in the tenement house districts 85,000 gas ranges in use, with a very poor gas at 62½ cents per thousand. In New York city it is difficult to get at the exact figures, but there are probably 25,000 gas ranges in use, with artificial gas at \$1 per thousand cubic feet. In Boston, Mass., there are not less than 10,000 in use, with gas at \$1.00. In Providence, R. I., there are not less than 10,000 ranges in use, with gas at about the same price. In Chicago, Ill., there are not less than 40,000 ranges, with manufactured illuminating gas at \$1.00 per thousand.

To give an adequate idea of the extensive use of artificial gas for fuel purposes, sold by meter at prices varying from 80 cents to \$1.25 per thousand cubic feet would require too much time and space. It suffices to say that not more than twenty years ago artificial gas companies all over the United States depended almost entirely upon their night load for illuminating purposes, and little or no gas was used during the day. To-day is it found that in nearly every city and town in the United States the day load, or consumption of artificial gas, is equal to the night load, which clearly demonstrates that consumers can afford to pay for artificial gas with only three-fifths of the efficiency of natural gas, and pay three to five times the amount which it is proposed to charge in Indianapolis; that is to say, from 80 cents to \$1.25, as against 25 cents.

It might be argued that the compulsory adoption of meters in Indianapolis would prove a hardship to the poor people who cannot afford to buy new stoves or other appliances for consuming the gas. This would remedy itself. In Pittsburg, so long as gas was sold by contract, there was hardly a stove dealer to be found in the whole city. Immediately the contract system was abolished and meters established, stove dealers from all over the United States established agencies in Pittsburg, and wherever a poor man was found who could not

pay for a stove, he was given an opportunity to rent one under a plan by which, in consideration of his paying 25 cents or 50 cents per month, the stove would eventually become his property. So popular has this plan of rental become that it has been adopted by nearly all the large gas companies in the United States, and by many of the smaller ones also. This brought the use of gas as a fuel within the reach of the poorest consumer, and at the same time has developed the output of the gas companies and enabled them to sell gas at a price lower than they otherwise could have done. It is a well known fact that stove manufacturers and dealers of the United States avoid Indianapolis. As soon as the meters are adopted, however, the city will be flooded with stove dealers, and arrangements will be made by which a poor man, who cannot afford to buy a stove and pay cash for it, will be able to get one by the payment of a very small rental, which will become his property within twelve to eighteen months.

In 1892 experts were employed by the Indiana Natural Gas and Oil Company at Greentown to determine the efficiency of natural gas as compared with city illuminating gas of twenty-six candle power. With the appliances then known, and which have since been improved, it was found that the efficiency of natural gas, using the same burner and under the same pressure, was 33 1-3 per cent. greater than illuminating gas. This finding is corroborated by the fact that experiments made some years ago in England demonstrated that 20,000 cubic feet of illuminating gas burned under a boiler would take the place of one ton of coal; whereas, with natural gas, the same result has been obtained with 15,000 cubic feet. Now, as 15,000 cubic feet of gas at 25 cents would cost \$3.75, it is easy to understand why natural gas is so valuable as a fuel, particularly in view of the fact that by the use of more modern appliances, invented since this experiment was made, a still smaller volume of natural gas can be used in accomplishing the same results.

In 1899 letters were addressed to the managers of a few of the natural gas companies using meters, asking them their experiences. The Dayton (Ohio) Company reported that all of the companies with headquarters at Dayton and the surrounding cities of Urbana, Piqua, Sidney, Troy, Tiptecanoe City, Covington, Mt. Sterling and South Charleston, sold natural gas only by meter measurement at 25 cents per thousand cubic feet and charged rent for meter.

In Pittsburg, the committee of the Board of Trade found by personal interview with the consumers that the price 27½ cents (now net 25 cents) by meter was entirely satisfactory, and the service much better than it had been under the contract system. It was also ascertained that The Royal Gas Company, of Steubenville, Ohio, sold natural gas by meter at 25 cents; that the Buffalo Natural Gas Fuel Company sold natural gas by meter at 30 cents per thousand cubic feet with a discount of 2½ per cent. per thousand for prompt payment; that the New-castle, Pa., Company sold natural gas by meter, the consumer furnishing the meter and making the connections, at 30 cents per thousand cubic feet, with a discount of 5 per cent. for prompt payment; that the Columbus Natural Gas Company sold natural gas at 25 cents per thousand cubic feet, less 20 per cent. if paid by the 10th of each month, the meters being purchased by consumers.

The foregoing facts being indisputable and easily susceptible of proof, the question arises, what alternative is left to the consumer in case the supply of natural gas is discontinued in Indianapolis? He will either have to use coal, at current prices, or illuminating gas at \$1 per thousand cubic feet, with less efficiency than the natural gas, which, at 25 cents per 1,000 cubic feet can be supplied in sufficient quantities for years to come.

The stock of the Indianapolis Gas Company (\$2,000,000) has been fully paid, and under the laws of Indiana, cannot be increased. Under a trust agreement, the company has no right to issue any additional bonds. The mortgage of the company covers all its assets, of which one of the most important is the natural gas, which may be regarded as a fleeting asset, as attested by the State Geologist, as is well known by all persons interested in the natural gas business in Indiana. The directors of the company have been elected by the stockholders, charged with a trust, viz., to administer the property for the best interests of the stockholders, subject, however, to the rights of the bondholders. The stockholders unanimously agree that the directors in allowing this fleeting asset to be used unlawfully, have been grossly derelict in their duty. In this opinion the bondholders concur, but have gone further, and to-day are considering a legal plan by which the directors will be forced by proper legal authority to discontinue to dispose of this fleeting asset in the unlawful manner aforesaid, and to dispose of it elsewhere to the best of advantage, and at the best obtainable price. The company has opportunities to dispose of its gas elsewhere, in unlimited quantities, by meter measurement only, and at prices varying from 15 cents to 25 cents per thousand cubic feet. Undoubtedly, if an effort were made by the company, higher prices could be obtained.

In view of this condition of affairs, the directors of the company have been forced to the determination to go out of the natural gas business in Indianapolis, which they have been advised by counsel they have the right to do, unless prompt remedial legislation is obtained.

In view of what I have stated herein, you will readily understand that this determination arises not from any inclination on their part, but because it has become a matter of absolute and immediate necessity.

Finally I would call your attention to the disadvantage under which the Indianapolis Company is placed in the manufacture and selling of illuminating gas, by reason of the fact that while natural gas was used as a fuel, little or no illuminating gas was used during the day time. The fixed charges of the company being the same, this means that the cost of distribution is nearly double that of other cities. For example, the annual consumption of gas in Indianapolis is 240,000,000 cubic feet, whereas statistics, in other cities where natural gas is in use, show that the consumption in Indianapolis should not be less than 500,000,000. In proof of this I would cite Milwaukee, where the gas consumption is 1,200,000,000 cubic feet, although the population of the districts supplied is only 290,000. An examination of the output in all of the cities of the United States, where there is a population of 150,000 to 300,000, will demonstrate that if there were no natural gas in Indianapolis, the annual consumption of illuminating gas should not be less than 500,000,000, and in view of the fact that the people are taking the gas as a fuel, it is probable that the consumption should be 600,000,000 to 700,000,000.

In view of these facts, the Indianapolis Gas Company earnestly requests that an ordinance be adopted providing that natural gas be used by meters at a rate not exceeding 25 cents per thousand cubic feet. The urgency of the situation is such that prompt action is desired.

Yours very truly,

F. J. HASTINGS, President.

To the Honorable the Mayor and Common Council of the City of Indianapolis:

The Consumers' Gas Trust Company, as you know, was organized for the purpose of furnishing natural gas to the citizens of Indianapolis

at a minimum cost. To accomplish this desired result it was provided that after the contributions to the capital of the company had been repaid out of net earnings with interest at the rate of eight per cent. per annum, gas should be furnished at cost. This public spirited but novel scheme brought into the treasury of the company through subscriptions to capital stock \$788,657.10, which proved to be but little more than half what was needed and with great difficulty an additional sum of \$602,000 was borrowed on certificates of indebtedness.

From the inception of the company no effort has been spared to carry out the purpose for which it was organized. A most excellent plant has been provided at a cost of \$1,465,278.24. A strict but intelligent economy has been observed in maintaining and operating the plant. Net earnings have been applied as rapidly as possible to repaying the original subscriptions with interest, to the end that the time might soon be reached when gas could be furnished at cost. All accrued interest on the subscriptions to capital has been paid, and there remains unpaid of the principal only \$118,298.56. With so much accomplished it is disheartening in the extreme to be compelled to admit that, unless the public through you lends a helping hand, the Consumers' Gas Trust Company will soon find itself unable to furnish natural gas at any price. The explanation of this unfortunate predicament is simple and easily understood.

When this company was organized, some fourteen years ago, the natural gas field of Indiana, though limited in area, was exceedingly rich. The pressure at the wells exceeded three hundred pounds to the square inch. A thoughtless public decided the supply of gas to be inexhaustible and acted accordingly. Aside from any question of waste the legitimate use of gas increased with marvelous rapidity. The development of the gas belt and indeed the growth and development of this city tells the story. The great city of Chicago must also strive to share our luxury with us. The result is common knowledge. The supply of gas has been so attacked that for several years the end has been in sight. A decrease in well pressure has necessitated the use of pumping stations and it now requires about five wells to produce as much gas as was formerly obtained from one. The nearer we approach the end the more rapid is the decline in the productiveness and life of the wells. It was startling to learn on the first of this month that the average pressure of the wells now in use was only sixty-three pounds to the square inch.

The policy of this company has been to fortify itself against the approaching exhaustion of gas by taking and carrying leases on many acres in the best producing territory. Within the last year this reserved territory has been the subject of attack by rival companies engaged in supplying cities other than Indianapolis with gas. Offers of higher rentals have encouraged some of our landlords to bring suits to test the validity of our leases and it is possible,—nay, perhaps probable,—that we will be compelled, if we wish to retain our valuable territory, to bid for new leases in competition with companies which sell gas at good prices in other cities by meter measure.

The result of its operations last year has brought the Consumers' Gas Trust Company face to face with an existing, not an anticipated, crisis. The figures have been published in full in the newspapers of this city, and they tell plainly the need of immediate relief if the company is to continue its efforts to supply this city with natural gas.

In this connection it must be distinctly understood that every dollar of the net earnings of the company, except what was paid in the way of reducing the original subscriptions to capital and keeping the interest paid thereon, has been expended in drilling new wells and providing the

necessary piping to bring gas to this city, and that it has been necessary each year to spend a large amount in the effort to keep up the supply. Under present conditions the company is no longer able to continue this policy.

The gross earnings for the fiscal year ending October 31, 1901, were \$44,959.61 less than the previous year; the expenses were \$30,827.16 more than the previous year. This means a loss in net earnings of \$75,786.77. The operating expenses absorbed more than seventy-six per cent. of the gross earnings. The cash on hand in general accounts was \$159,293.86, against which there must be charged the following items: viz.:

Accounts payable	\$61,630.00
Unpaid vouchers	28,883.13
Taxes accrued	7,193.62
Lease rentals accrued	15,560.72
Total	<u>\$113,267.47</u>

If these cash liabilities be deducted the free cash on hand October 31, 1901, was \$46,026.39; to which there should be added accounts receivable, \$9,264.02; and \$55,290.41 will then truly represent the entire cash and quick assets at the disposal of the company at the close of its last fiscal year. Under ordinary circumstances this last named amount would have been used for the most part in further reducing the amount of subscriptions to the original capital still outstanding and heretofore given as \$118,298.56, but its use for that purpose has been deferred for the reasons hereinafter stated.

Since the close of the last fiscal year the gross earnings of the company have continued to decrease. For the four months ending February 28, 1902, the decrease as compared with the same period in 1901 was \$19,360.03. This points with certainty to much smaller gross earnings for 1902 than for 1901. Even the very unsatisfactory service given during the past winter cannot be continued during the balance of the present year without large outlays, which the company at present is not able to make and for which it cannot provide unless it be permitted to sell gas by meter measure at reasonable rates. It would be worse than folly to incur a large indebtedness in order to retain our reserved territory and develop it, if the present method of selling gas in this city is to continue. It is not believed, however, that money for any such purposes could be borrowed in the face of a continued waste of gas, of diminishing earnings, and of increasing outlays for operating expenses.

Regarding ourselves as public servants, we have deemed it our duty to present these disagreeable facts to you and through you to the public, and to suggest the only possible remedy, viz.: An ordinance making the use of meters compulsory, with the privilege of charging not more than twenty-five cents per thousand cubic feet; all meters to be furnished free and without any expense to the users. To so furnish meters will, it is estimated cost our company more than \$175,000. The available cash now on hand can be used for that purpose instead of applying it to the reduction of the present outstanding subscriptions to the original capital. The introduction at nominal cost and use of improved appliances, such as are used in other cities, will, it is confidently believed, enable everyone to take gas by meter measure at twenty-five cents per thousand cubic feet. No more gas will then be wasted. The present supply can then be made to last for years instead of months. The revenue which our company will receive will justify us in arranging for all needed expenditures and the Consumers' Gas Trust Company will thereby be permitted to continue its efforts towards carrying out the purposes for which it was organized.

If the people of this city, through you are as their representatives, decide that no gas is better than gas by free meter measure at twenty-five cents per thousand cubic feet, we as their servants will necessarily be bound by your decision, and whilst deeply regretting it, we cannot justly complain. The plain facts have been submitted and there our duty ends.

It is perhaps needless, but at the same time it seems proper, to add that the ordinance above suggested will not affect in any way the obligation of the Consumers' Gas Trust Company to furnish gas at cost should it ever be able to do so at less than twenty-five cents per thousand cubic feet?

In conclusion we take the liberty of suggesting that an early decision is absolutely necessary. Much work will have to be done if the ordinance be passed, and the time for work is right at hand.

Very respectfully submitted,

HENRY SCHNULL,
H. H. HANNA,
JOHN H. HOLLIDAY,
JNO. G. WILLIAMS,

Trustees.

ROBERT N. LAMB,
HENRY COBURN,
FRED FAHNLEY,
NATHAN MORRIS,
A. A. BARNES,
HENRY WETZEL,
BEMENT LYMAN,
J. P. FRENZEL,

Directors.

INDIANAPOLIS, April 7, 1902.

To the Mayor and Councilmen of the City of Indianapolis:

Gentlemen—At its regular meeting, April 6, 1902, Indianapolis Typographical Union No. 1 unanimously adopted the inclosed resolutions, and requests that your honorable body give them due consideration.

To the Officers and Members of Indianapolis Typographical Union No. 1:

Ladies and Gentlemen—Whereas, The common interests of our city will be jeopardized by the introduction of gas meters, depriving the working classes from further participation in the use of natural gas, except through exorbitant and unreasonable prices, and as the past fifteen years has demonstrated the fact that the present rates are wholly adequate and profitable and are within the limits of all; and

Whereas, The Consumers' Gas Trust Company, organized by the capital of the commonwealth of our city with the understanding that our citizens should be supplied with gas at cost, has been manipulated to conserve the interests of the speculator and turned into the channels of commercialism, to the profit of the shareholders and to the detriment and disadvantage of the object of its incorporation; and

Whereas, The Indianapolis Gas Company fifteen years ago used the same arguments that it is using to-day, that it could not supply gas at the present existing ordinance rates, is still in the field of action, with the same argument that it is going to quit business if it can't have its own way; and

Whereas, The introduction of meters will raise the prices and deprive the poor of the benefits to the interests of the wealthy, and will transport the surplus gas to other markets; and

Whereas, The reports of the conditions of the meter system in other cities as published in our daily papers by the gas companies, garbled and doctored for the occasion, are yet unsatisfactory and proof positive against the advisability of the use of gas under compulsory meter rates; and

Whereas, Our present city council, elected on the strength of their pledges, as opposed to the meter, are now asked to revise the ordinance and give the companies a 25-cent per 1,000 meter rate; Now, therefore be it

Resolved, By Indianapolis Typographical Union No. 1, in regular session assembled, That we, as citizens and taxpayers, do demand that our present Mayor and the councilmanic board of the city of Indianapolis stand flat-footed against any measure tending to the introduction of meters for the measurement of natural gas.

Resolved, further, That a copy of these resolutions be presented to the council of the city of Indianapolis.

Be it further resolved, That the city authorities be asked to enforce existing laws regarding natural gas.

Respectfully submitted,

C. H. GILMAN.

Indianapolis, April 6, 1902.

Resolved, That these resolutions be presented to the City Council, Monday, April 7, 1902.

To the Honorable the Common Council, Indianapolis, Ind.:

Gentlemen—Whereas, The persons controlling the two corporations that furnish natural gas to our citizens for household purposes propose to break the yearly contracts that do not expire until October 1st, next, upon May 1st, next; and

Whereas, The audaciously frigid bluff to refuse to furnish gas after that date, unless our city officials pass an ordinance allowing them to force meters into use and charge twenty-five cents per thousand cubic feet for the mixture that will be pumped through them, is proving the aforesaid persons to be as unscrupulous as any wretches that ever picked pockets or robbed hen roosts; and

Whereas, Such acts, if allowed to go unchecked, will render a further descent towards ultimate, rapacious vikingism more easy upon the part of those who should deal fairly by and serve the people faithfully, but who do not; therefore be it

Resolved, by Saw Smiths' Union No. 1, That we respectfully urge Mayor Bookwalter and the members of the Common Council to prove to the public that they have its best interest at heart by using voice, vote, and, if necessary, veto, in defeating the twenty-five cents per thousand compulsory gas meter ordinance.

GEO. R. CLARKE,
JAMES E. O'HARA,
OTHO G. YEAMANS,
MORRIS C. WERKHEISER,
Committee.

April 3, 1902.

INDIANAPOLIS, April 7, 1902.

To the Common Council, City of Indianapolis:

Gentlemen—In view of the fact that the Indianapolis Gas Company and the Consumers' Gas Trust Company, contemplate asking your honorable body to pass an ordinance, making the use of meters for the consumption of natural gas compulsory, and naming twenty-five (25) cents as the minimum price per one thousand (1,000) feet, we, the undersigned, officers of the South Side Citizens' Club, hereby present a resolution, which was the outgrowth of a public meeting of the club held Monday night, March 24, 1902, called for the purpose of discussing the meter question.

After thoroughly discussing the question, the following was unanimously adopted:

"We favor the use of meters for natural gas, provided, that in the event of introducing the same into general use, we shall not pay to exceed fifteen (15) cents per thousand."

CHARLES B. STILZ, Secretary.

F. J. MEYER, President.

ORDINANCES ON SECOND READING.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

- G. O. No. 20, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the seventeenth day of March, 1902, between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis Southern Railway, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the City of Indianapolis, and to maintain same and operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 20, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes. 15, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Holliday, McFarland, Negley, Rhodes, Shea, Wahl, Warweg, Wheeler, Wynne, Wysong and President Haldeman.

Noes. 6, viz.: Messrs. Crall, Kelly, Meyer, Moriarity, Sourbier and Wolsiffer.

Mr. Negley moved that the vote by which G. O. No. 20, 1902, was passed, be reconsidered at the next regular meeting of the Common Council.

Mr. Wynne moved to lay Mr. Negley's motion on the table.

Which motion carried.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

- G. O. No. 18, 1902: An ordinance changing the names of portions of Lewis street, Malott avenue, Columbia avenue, Hill avenue, Hillside avenue, Valley avenue, Beech street, Lawrence street, Rural street, Bloyd avenue and Glenn Drive, to that of "Roosevelt Avenue." Also changing the name of a portion of Nevada street to that of "Eighteenth Street." Also changing the name of Parker avenue to that of "Winter Avenue." Also changing the name of Holloway avenue to that of "Ingram Street." And fixing the time when the same shall take effect.

On motion of Mr. Negley G. O. No. 18, 1902, was amended as recommended by committee report.

On motion of Mr. Negley, G. O. No. 18, 1902, was then ordered engrossed as amended, read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer. Wynne, Wysong and President Haldeman.

Noes, 2, viz.: Messrs. Kelly and Moriarity.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

G. O. 8, 1902. An ordinance approving a certain contract granting Indianapolis Hominy Mills the right to lay and maintain a switch or sidetrack across Madison avenue in the city of Indianapolis, Ind.

On motion of Mr. Cooper, G. O. No. 8, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 13, viz.: Messrs. Cooper, Crall, Holliday, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Billingsley, Eppert, Kelly, Meyer, Moriarity, Warweg and Wolsiffer.

Mr. McFarland moved that the vote by which G. O. No. 8, 1902, was passed, be reconsidered at the next regular meeting of the Common Council.

Mr. Holliday moved to lay Mr. McFarland's motion on the table.

Which motion carried by the following vote:

Ayes, 13, viz.: Messrs. Cooper, Crall, Holliday, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Billingsley, Eppert, Kelly, Meyer, Moriarity, Warweg and Wolsiffer.

On motion of Mr. Wynne the following entitled ordinance was taken up and read a second time:

App. O. No. 6, 1902: An ordinance appropriating the sum of sixteen thousand five hundred (\$16,500) dollars to and for the use of the Department of Law of the City of Indianapolis.

On motion of Mr. Wynne, App. O. No. 6, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holiday, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wyson and President Haldeman.

Noes, 3, viz.: Messrs. Kelly, Moriarity and Wolsiffer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. No. 8, 1902: An ordinance appropriating the sum of five thousand dollars (\$5,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect.

Mr. Crall moved that App. O. No. 8, 1902, be amended as recommended by Committee on Finance.

Which motion prevailed.

On motion of Mr. Wynne, App. O. No. 8, 1902, was then ordered engrossed as amended, read a third time and passed by the following vote:

Ayes, 21, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holiday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wynne, Wyson and President Haldeman.

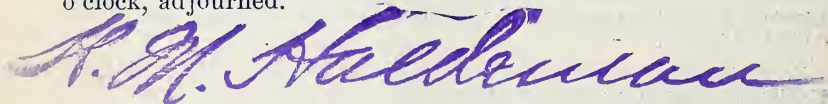
Noes: None.

Mr. Warweg called up G. O. No. 10, 1902.

Mr. Eppert asked for two weeks' additional time in which to consider the ordinance.

Which was granted.

On motion of Mr. Sourbier, the Common Council, at 9:15 o'clock, adjourned.



President.

Attest:



City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, April 21, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, April 21, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 19 members, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolf-siffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Cooper.

The Journal was read, and on motion of Mr. Crall, the Clerk was ordered to correct same.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, April 11, 1902.

To the City Clerk and President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 20, 1902: "An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 17th day of March, 1902, between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis Southern Railway Company, whereby said company is authorized to construct its track or tracks along and across certain streets, alleys and public places, in the city of Indianapolis, and maintain same and operate therein; prescribing the terms and conditions upon which such rights are granted; and fixing a time when same shall take effect."

App. O. No. 6, 1902: "An ordinance appropriating the sum of sixteen thousand, five hundred (\$16,500) dollars to and for the use of the Department of Law of the City of Indianapolis."

G. O. No. 8, 1902: "An ordinance approving a certain contract granting the Indianapolis Hominy Mills the right to lay and maintain a switch or sidetrack across Madison avenue."

App. O. No. 8, 1902: "An ordinance appropriating the sum of twenty-five hundred (\$2,500) dollars for use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect."

G. O. No. 18, 1902: "An ordinance changing the name of portions of Lewis street, Malott avenue, Columbia avenue, Hill avenue, Hill-side avenue, Valley avenue, Beech street, Lawrence street, Rural street, Bloyd avenue, and Glenn Drive, to that of Roosevelt avenue; also to change the name of a portion of Nevada street to that of Eighteenth street; also to change the name of Parker avenue to that of Winter avenue; and fixing a time when same shall take effect."

Very respectfully,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, April 21, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action G. O. No. 30, 1902, ratifying and approving a certain contract entered into by E. C. Atkins & Company and the city of Indianapolis, by and through its Board of Public Works, granting the said E. C. Atkins & Company the right to construct and operate a switch or sidetrack across certain streets and alleys in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to whom was referred G. O. No. 12, 1902: An ordinance prohibiting the location, erection, construction or building hereafter of stock yards within the corporate limits of the city of Indianapolis, and also prohibiting the engaging in or carrying

on of the general business of handling, feeding, selling or otherwise disposing of hogs, cattle, sheep, horses or other live stock of any kind whatsoever at any such stock yards; providing a penalty for the violation thereof, and for the publication of the same and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, April 16, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Public Safety and Comfort, have carefully considered G. O. No. 12, and recommend that same do not pass.

ED. G. SOURBIER, Chairman,
J. L. McFARLAND,
ANDREW H. WAHL,
H. E. NEGLEY.

Which was read and, on motion of Mr. Crall, concurred in.

Mr. Wynne, on behalf of Committee on Railroads, to which was referred G. O. No. 13, 1902: An ordinance requiring the Belt Railroad of Indianapolis to station and maintain a flagman at Singleton street, where the tracks of said company cross the same, providing a penalty for violation thereof, and fixing a time when same shall take effect.

Made the following report:

INDIANAPOLIS, April 21, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to which was referred G. O. No. 13, 1902, has had same under consideration, and begs to recommend that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,
J. H. BILLINGSLEY,
JNO. WOLSIFFER.

Which was read and, on motion of Mr. Billingsley, concurred in.

Mr. Wynne, on behalf of Committee on Railroads, to which was referred G. O. No. 21, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made between the City of Indianapolis, by and through its Board of Public Works, and Atlas Engine Works, granting permission, and entered into on the twenty-sixth day of March, 1902, be-

right and authority to said Atlas Engine Works, its successors and assigns, to construct, maintain and operate, in addition to and in connection with the present siding track, switches and appurtenances, of said Atlas Engine Works, further tracks in and upon certain streets and alleys of the city of Indianapolis.

Made the following report:

INDIANAPOLIS, April 21, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to which was referred G. O. No. 21, 1902, has had same under consideration, and begs to recommend that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,
J. H. BILLINGSLEY,
JOHN WOLSIFFER.

Which was read and, on motion of Mr. Cooper, concurred in.

Mr. Billingsley, on behalf of Committee on Railroads, to which was referred G. O. No. 23, 1902: An ordinance approving a certain contract giving the U. S. Encaustic Tile Works the right to lay and maintain a switch or sidetrack across Sixteenth street, in the City of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, April 21, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to which was referred G. O. No. 23, 1902, has had same under consideration, and begs to recommend that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,
J. H. BILLINGSLEY,
JOHN WOLSIFFER.

Which was read and, on motion of Mr. Billingsley, concurred in.

Mr. Billingsley, on behalf of Committee on Railroads, to which was referred G. O. No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, April 21, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to which was referred G. O. No. 22, 1902, has had same under consideration, and begs to recommend that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,
J. H. BILLINGSLEY,
JOHN WOLSIFFER.

Which was read and, on motion of Mr. Billingsley, concurred in.

Mr. Billingsley, on behalf of Committee on Railroads, to which was referred G. O. No. 24, 1902: An ordinance approving a certain contract granting to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and W. J. Holliday & Company the right to lay and maintain two switches or sidetracks, the first crossing Chesapeake street and the second crossing Georgia street, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, April 21, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to which was referred G. O. No. 24, 1902, has had same under consideration, and begs to recommend that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,
J. H. BILLINGSLEY,
JOHN WOLSIFFER.

Which was read and, on motion of Mr. Billingsley, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 30, 1902: An ordinance approving a certain contract granting E. C. Atkins & Company the right to lay and maintain a switch or sidetrack across the first alley north of South street, South street and in and along Eddy street in the city of Indianapolis.

Whereas, heretofore, to wit: On the 13th day of January, 1902, E. C. Atkins & Company filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, IND., January 13, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, E. C. Atkins & Company, respectfully petition your Honorable Board, asking permission to construct and maintain one switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street, more particularly described as follows: The center line of said proposed switch to begin at a point in the north line of the first alley north of South street, the said point being 130.41 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the intersection of the south line of the first alley north of South street with the west line of the first alley west of Illinois street.

Also the following described center line of a switch across South street: beginning at a point in the north line of South street the said point being 209 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the south line of South street, the said point being six feet east of the west line of Eddy street.

Also the following described center line of a switch along the west side of Eddy street: Beginning at a point in the south line of South street, the said point being six feet east of the west line of Eddy street; thence south parallel with and six feet distant from the west line of Eddy street to the north line of the second alley south of South street, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

E. C. ATKINS & COMPANY,

By H. C. ATKINS, President.

Now Therefor, This agreement, made and entered into this 21st day of April, 1902, by and between E. C. Atkins & Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street, in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

1. It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

2. Said track or switch shall be laid upon such grade as shall be established by said board, and shall be put down under its supervision

and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said board and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

3. The crossings where said sidetrack or switch intersects the first alley north of South street and South street, shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings or to be thereon, except for such time as may be absolutely necessary in moving them back and forth and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel: Provided, That no cars shall be operated on that portion of the switch crossing South street between the hours of 5 o'clock a. m. and 12 o'clock p. m.

4. Said party of the first part agrees, at the pleasure and written order of said board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done; and the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said board shall in nowise become a trespasser.

5. The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact said board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

6. The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account, be rendered against it or said city.

7. Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley north of South street, across South

street, and in and along Eddy street, in the city of Indianapolis, as follows:

The following described line to be the center line of said railroad switch across the first alley north of South street. Beginning at a point in the north line of the first alley north of South street, the said point being 130.41 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the intersection of the south line of the first alley north of South street with the west line of the first alley west of Illinois street.

Also the following described line of railroad switch across South street: Beginning at a point in the north line of South street, the said point being 209 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the south line of South street, the said point being six feet east of the west line of Eddy street.

Also the following described center line of railroad switch in and along the west side of Eddy street: Beginning at a point in the south line of South street, the said point being six feet east of the west line of Eddy street; thence south parallel with and six feet distant from the west line of Eddy street to the north line of the second alley south of South street, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In witness whereof, We have hereunto set our hands this 21st day of April, 1902.

E. C. ATKINS & COMPANY,

By H. C. ATKINS, President,
Party of the first part.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works, party of the second part.

And, Whereas, Said contract has been submitted by said board to the Common Council of the city of Indianapolis for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Crall:

G. O. No. 31, 1902: An ordinance relative to the use of vehicles in and upon the streets, alleys and driveways of the city of Indianapolis: fixing the limit of speed for the same to be ridden or driven over and across the intersection of streets; providing that the same restrictions of speed apply to the entering and leaving of alleys and driveways; designating portions of certain streets where the same shall apply; providing penalties for violations of its regulations and requirements and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall be unlawful for any one to ride, lead or drive a horse or other animal, or to ride, drive or propel any bicycle or other vehicle, run, operated or driven by steam, electricity or other motive power, over or across the intersection of any street or streets, or to enter or leave any alley or driveway, from or to any streets within a certain designated portion of the streets of the city of Indianapolis at a gait or limit of speed faster than a walk.

Sec. 2. The portion of the streets to be thus set aside under the provisions of this ordinance shall be as follows, to wit: All those streets, alleys and driveways and portions of streets, alleys and driveways, included between the north line of Ohio street and the south line of Georgia street; the west line of Senate avenue and the east line of Alabama street.

Sec. 3. Any person violating any provision of this ordinance shall, on conviction before the police judge of said city, be fined in any sum not exceeding fifty (\$50) dollars for such offense, to which may be added imprisonment for not more than thirty (30) days.

Sec. 4. This ordinance shall be in effect from and after its passage and the publication once each week for two weeks consecutively in The Indianapolis Daily Reporter, a daily newspaper of general circulation printed and published in said city of Indianapolis.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Negley:

G. O. No. 32, 1902: An ordinance providing for the appointment of an Inspector of Plumbing and House Drainage, prescribing his qualifications, powers, duties and salary, and providing for the appointment of a Board of Registration and Examination, prescribing the manner of licensing master plumbers, providing for license fees, prescribing the mode and manner of plumbing and house drainage in the city of Indianapolis; prescribing the penalties for the violation thereof and providing for the publication thereof, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Board of Health and Charities of the city of Indianapolis is hereby authorized, empowered and directed to appoint an Inspector of Plumbing and House Drainage, who shall be a practical plumber and residing in the city of Indianapolis, who shall be required to pass an examination as to his qualifications by a board of three practical plumbers engaged in the plumbing business and residing in the said city, said board to be selected by the Board of Health of said city.

Sec. 2. Said Inspector shall serve during the incumbency of the said Board of Health and Charities who made the appointment, or until his successor is appointed and qualified. The Mayor shall issue his certificate of appointment, and the person named therein shall take the oath of office to be endorsed on said appointment, to support the Constitution of the United States, the Constitution of the State of Indiana, and the city charter of the city of Indianapolis, and to faithfully and impartially discharge the duties of his office to the best of his skill and ability. Which certificate and oath shall be filed with the City Clerk, who shall issue a certificate of same, reciting the fact and date of appointment, taking of oath of office and filing same. Such

appointee shall thereupon execute his bond to the city of Indianapolis to the approval of the Mayor, in the sum of one thousand dollars, with at least two freehold sureties, payable to the city of Indianapolis on condition of the faithful performance of all duties required of the incumbent of said office, which bond, after being so approved, shall be filed with the City Comptroller, who shall make a true copy thereof and file the same with the City Clerk; whereupon a commission shall be issued to the said Inspector of Plumbing and House Drainage, signed by such Mayor, and attested by the said Clerk, under the seal of the city.

Sec. 3. The salary of such Inspector shall be fifteen hundred dollars per year, payable quarterly out of the funds of the said city, at the same time and in the same manner that the elective officers of said city are paid.

Sec. 4. After taking effect of this ordinance any person, firm or corporation engaging in the business of plumbing in the city of Indianapolis, Indiana, as a master plumber, shall first obtain a license therefor as hereinafter provided.

Sec. 5. After the passage of this ordinance and the appointment of a Plumbing Inspector as provided for in section 1 of this ordinance, the Board of Health and Charities of the city of Indianapolis, is hereby authorized and empowered to and shall appoint a Board of Examiners for the examination and registration of master plumbers. Said board shall consist of two practical plumbers engaged in the business of plumbing in the city of Indianapolis, Indiana, and the regularly appointed Plumbing Inspector of said city. Said Board of Examiners shall serve during the incumbency of the said Board of Health and Charities who made the appointment, or until their successors are appointed and qualified. And said Board of Examination and Registration, exclusive of the Plumbing Inspector, whose salary is otherwise herein provided for, shall receive the sum of five dollars (\$5.00) each per year in full for all services rendered the city by them as members of said board.

Sec. 6. Said Board of Examiners shall, as soon as may be after their appointment, meet at such time and place as the Board of Health and Charities may designate, and at such other times as may be necessary, and proceed to carry out the provisions of this ordinance. Said board shall examine applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation, and if satisfied as to the competency of any such applicant, the board shall issue a certificate of such competency to such applicant, and the City Comptroller shall, upon the presentation of such certificate, issue a license to such person to engage in the business of plumbing in the city of Indianapolis. The fee for such examination, certificate and license shall be five dollars (\$5.00) and shall be paid at the time of the issuance of said license. All fees to be paid into the office of the City Comptroller. In case of a firm or combination of persons other than a corporation, engaging in the business of plumbing, each and every member of such firm or combination of persons shall pass such examination and be licensed as herein provided. In case of a corporation engaging in the plumbing business, the president and secretary of such corporation shall designate some particular person or persons, in a written notice to said Board of Health and Charities, who shall have charge of the plumbing business for such corporation, and such person or persons shall take the examination, and receive such license, and shall have exclusive direction of the plumbing business of such corporation. And such license shall state particularly the name of the corporation so represented by such person or persons.

Sec. 7. The Inspector of Plumbing is empowered to examine and inspect all plumbing within the city of Indianapolis, and whenever such plumbing shall be found defective, it shall be the duty of the owner or lessee of such building to place the same in a proper sanitary condition after reasonable notice from the Board of Health.

Sec. 8. The Inspector shall be notified when work is ready for inspection and test, and must examine and approve or reject all work not less than sixteen working hours from the time of such notification. All work shall be left uncovered for examination until the final test is made and the work approved by the Inspector.

Sec. 9. The Plumbing Inspector shall be empowered to make such regulations as shall be necessary for the enforcement of this ordinance, provided such rules or regulations are approved by the Board of Health, and shall keep a recorded list of all licensed plumbers doing business in the city of Indianapolis, Indiana.

Sec. 10. Where additional fixtures are required or alterations are to be made, and not practicable to be constructed in accordance with the provisions of this ordinance, a special permit may be issued by the Inspector of Plumbing.

Sec. 11. It shall be unlawful for any person, firm or corporation to erect, construct or alter, or perform any labor at plumbing or house drainage, within the city of Indianapolis, without first having secured the proper permit provided for in this ordinance.

Sec. 12. Every plumber before doing any plumbing work in a building, except in case of repairs, which consist of leaks in drain, soil, waste and vent pipes, and repairs on faucets, valves and water supply pipes, shall file with the Inspector of Plumbing a statement showing the work to be performed, and no part of such work shall be executed until the Inspector of Plumbing has issued a permit authorizing same to be done.

Sec. 13. Before any plumber shall receive a permit under the provisions of this ordinance, he or his firm or corporation shall execute a surety company bond to the city of Indianapolis, with sureties to be approved by the proper official, in the penal sum of one thousand dollars, conditioned for the faithful performance of his or their duties according to the terms of this ordinance, and this bond shall be for the term of one year and shall be renewed annually.

All permits for plumbing or house drainage shall be issued by the City Comptroller after approval by the Inspector of Plumbing.

The fee for issuing permits shall be according to the estimated cost or value of the improvement of plumbing or house draining at following rates:

A nominal fee of fifty (50) cents shall be charged for a permit for repairs when the cost shall not exceed twenty dollars (\$20); one dollar and fifty cents (\$1.50) shall be charged for a permit on all work over twenty dollars (\$20.), but not to exceed two hundred dollars (\$200); and fifty (50) cents for each additional one hundred dollars (\$100) or fractional part thereof. Said fees to be paid to the City Comptroller when the permit is issued.

Each permit shall state specifically the name of the applicant, the address, number of the application, and the date of issue.

Sec. 14. When additional fixtures are required after the permit is issued, and do not require an extra inspection, no fee shall be charged except where the additional fixture or fixtures brings the contract price above the limit for which the permit was issued, in which case an extra amount must be paid, according to specifications in section 1st and where such additional fixture or fixtures require an additional inspection, an additional fee of fifty cents shall be charged for each subsequent inspection.

Sec. 15. Every dwelling house, hotel, apartment house, tenant house, factory, store or other building in which plumbing arrangements are to be placed, shall be connected with the city sewer when such sewer is provided, and when such sewer is not provided with a cesspool in a location to be approved by the Inspector of Plumbing.

Sec. 16. The plumbing and ventilation in every building shall be separate and independent from the roof to the outside of foundation walls, and for the purpose of plumbing each and every entrance in the street through the wall of said building to a row of tenement houses, shall be construed to be one building: Provided, That private stables may be connected with the house drain.

Sec. 17. That portion of the house drain which is inside the walls and underneath the building, and three feet outside the area or foundation walls, shall be constructed of what is known to commerce as extra heavy cast-iron soil-pipe, and extra heavy fittings, the weight of pipe to be as follows:

2-inch, 5 pounds per foot.	7-inch, 26½ pounds per foot.
3-inch, 9 pounds per foot.	8-inch, 33 pounds per foot.
4-inch, 12½ pounds per foot.	10-inch, 44½ pounds per foot.
5-inch, 16½ pounds per foot.	12-inch, 53½ pounds per foot.
6-inch, 19½ pounds per foot.	

Fittings and pipe to be coated outside and inside with coal tar varnish, or oxidized by the Baur-Barff process, or any coating equally as good; they shall be securely ironed to the walls, laid in trenches of uniform grade, or suspended to the floor timbers by strong iron hangers, to be approved by the Inspector; in all cases a brass cleanout connection shall be placed in drain. Cleanouts at all angles near the exit of drain from building, and placed in an accessible location.

The end of all drains, or branch drains, shall be provided with a brass cleanout connection, of a size not less than two (2) inches, and placed in an accessible position.

Drain and soil-pipes shall have a uniform fall of not less than one-quarter of one inch per foot, towards the sewer or cesspool; when such grade cannot be obtained, a special permit may be obtained from the Inspector of Plumbing for a less fall per foot.

Sec. 18. No privy or cesspool shall be connected with the sewer or house drain. A running trap, provided with a fresh air inlet and an accessible brass cleanout connection, may be inserted into the house drain, inside or outside of the foundation wall, and as near the said wall as practicable. The fresh air inlet shall be not less than two (2) inches internal diameter, connected to the drain on the house side of the trap, and not more than eight (8) feet nor less than four (4) feet from the running trap, and extending to the external air.

Sec. 19. All drains shall be run as direct as practicable. Changes in direction shall be made with regular fittings, and connections shall be made with Ys, sanitary tees, and one-eighth bends.

Sec. 20. Soil-pipes receiving the discharge from one or more water-closets shall be of extra heavy cast-iron soil-pipe, the same as specified for drains, and not less than four inches in internal diameter, and continuing of undiminished size to the highest roof of the building, above and away from any opening or window, and left open at the top, and to extend at least twelve (12) inches above the roof, and flashing of sheet lead not less than four (4) pounds to the square foot to be provided and properly attached where the pipe passes through the roof.

Sec. 21. No waste-pipes shall be less than one and one-quarter (1¼) inch for one fixture, and not less than one and one-half (1½) inch for two fixtures, and not to exceed four fixtures.

Sec. 22. Lead waste and vent pipes shall not be of less weight than the grade known as "Light."

Sec. 23. In no case shall the waste-pipe from another fixture connect to the house side or in the seal of a water-closet trap. Such connection shall be made independently of such trap.

Sec. 24. No refrigerator or other receptacle in which provisions are stored shall be connected with a drain, soil or vent-pipe, or discharge upon the ground beneath the building, but in every case there shall be an open drip tray beneath the refrigerator. The waste must discharge into a sink or other fixture and be provided with a flap valve or discharge end.

Sec. 25. Vent pipes shall not be less than one and one-quarter ($1\frac{1}{4}$) inch for twenty (20) feet; and one and one-half ($1\frac{1}{2}$) inch for fifteen additional feet; two (2) inches for forty (40) additional feet; and three (3) inches for sixty (60) additional feet.

Where two (2) fixtures connect into one vent, such vent shall not be less than one and one-half ($1\frac{1}{2}$) inch pipe; where three or more fixtures connect such connection to be not less than two (2) inch pipe; but air-pipes for water-closet traps shall not be less than two (2) inch bore for forty (40) feet or less, and of not less than three (3) inch for sixty (60) feet or less; there shall be no more than twelve (12) water-closet vent openings connected into two (2) inch vent-pipe.

Sec. 26. Vent-pipes shall be run straight and as direct as practicable and with a grade to avoid trapping or condensation.

Sec. 27. Vent-pipes may be run through the roof separately, or connected into the main soil-pipe before it passes through the roof, provided that in every such case the soil-pipe and vent-pipe shall be increased two (2) inches in diameter before passing through the roof.

Sec. 28. No steam, exhaust, blow-off, or drip-pipes shall be connected with a sewer or with any drain, soil or waste-pipe, vent-pipe or rain-water pipe, when within any building, but must discharge into an open tank or condenser from which a perfect connection to the sewer or house drain may be provided.

Sec. 29. All joints in cast-iron pipe shall be packed with picked oakum and run with molten lead, well caulked.

Sec. 30. Connections of lead-pipe with those of iron shall be made with brass or combination ferrules or brass soldering nipples of a size not less than the lead-pipe, with properly soldered joints and caulked or screwed to the iron pipe.

Sec. 31. Every sink, bathtub, basin, water-closet, urinal, washtray, or set of washtrays, and every fixture having a waste-pipe shall be separately and independently trapped with a water-sealing trap placed as near the fixture as practicable. Traps shall be protected from siphonage and air pressure by an air, or vent-pipe, and of a size not less than the waste-pipe up to and including two (2) inch. Over two (2) inch, and not exceeding four (4) inch, not less than two (2) inch vents shall be used.

Sec. 32. Vent-pipes shall be either lead, wrought or cast-iron.

Sec. 33. Traps must be placed above floors or in accessible locations.

Sec. 34. No trap shall be placed at the foot of a vertical soil or waste-pipe.

Sec. 35. Rainwater leaders within the building shall be of wrought-iron, or extra heavy cast-iron pipes where connected with drain, waste or soil-pipes, and shall be suitably trapped.

Sec. 36. Safe-pipes, drips or overflow pipes from tanks or cisterns shall be run to some place in open sight and provided with a flap-valve

on lower end, and in no case shall any such pipe connect with drain, soil, waste, vent-pipes or rainwater leader.

Sec. 37. Every water-closet shall be supplied with water from a tank or cistern and the flush-pipe shall not be less than one and one-quarter inches in diameter.

Sec. 38. No person shall place in any building a plunger or pan water-closet, and when such kind of closet is removed for repairs or other causes it shall not be replaced.

Sec. 39. The use of wooden washtrays or sinks is strictly prohibited. They shall be of nonabsorbent material. Provided that wooden sinks may be lined with sheet lead or sheet copper.

Sec. 40. A grease-trap shall be constructed under the sink of every hotel, restaurant, eating-house, or boarding-house or other public cooking establishment, to the satisfaction of the Inspector.

Sec. 41. The use of mercury vents or so-called "anti-siphon" traps shall not be allowed except by permission of the Inspector.

Sec. 42. Nothing herein contained shall prevent the use of wrought-iron soil or waste-pipe, with the proper fittings, coated outside and inside as provided for under cast-iron pipe,

TEST.

Sec. 43. The whole system of drain, waste, soil and ventilation pipes shall be made tight and tested with an air pressure of not less than ten (10) pounds per square inch, and to stand not less than fifteen (15) minutes without a drop. This test to be made by the plumber in the presence of the Inspector, and in all cases where only a part of the system has been tested at one time, the Inspector shall require an additional test of the whole system, and it shall be absolutely tight.

Sec. 44. Any person violating any of the provisions of this ordinance where no special penalty has been provided, shall upon conviction thereof, be fined in any sum not exceeding one hundred dollars.

Sec. 45. All existing ordinances and regulations or parts thereof inconsistent with this ordinance, are hereby repealed.

Sec. 46. This ordinance shall take effect and be in force sixty (60) days after its passage and publication one day each week for two consecutive weeks in the Indianapolis Daily Reporter, a daily newspaper of general circulation, printed and published in said city of Indianapolis.

Which was read a first time and referred to Committee on Judiciary.

MISCELLANEOUS BUSINESS.

Under this order of business the following resolution was introduced | Resolution No. 3, 1902: |

Whereas, Julius C. Haag, a reputable citizen of Indianapolis, has in writing proposed to pay to the stockholders of the Consumers' Gas Trust Company, of this city, the full value, principal and interest of all outstanding certificates of stock of said company, and all liabilities of every description, upon the transfer of all of the property of every kind and description of said Consumers' Gas Trust Company to him, and to pay in addition thereto to the city of Indianapolis the sum of

three hundred thousand (\$300,000) dollars in cash, and to furnish a good and sufficient bond for the faithful carrying out of his proposal; therefore,

Be it resolved, That the Mayor and the Board of Public Works are earnestly requested to aid in every lawful manner the said Julius C. Haag in carrying out his proposal, to the end that the city of Indianapolis may receive in cash the sum of three hundred thousand dollars (\$300,000).

JAMES E. BERRY.

Which was read and referred to Committee on Contracts and Franchises.

ORDINANCES ON SECOND READING.

On motion of Mr. Billingsley, the following entitled ordinance was taken up and read a second time:

G. O. No. 13, 1902: An ordinance requiring the Belt Railroad of Indianapolis to station and maintain a flagman at Singleton street, where the tracks of said company cross the same, providing a penalty for violation thereof, and fixing a time when same shall take effect.

On motion of Mr. Crall, G. O. No. 13, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes: None.

On motion of Mr. Billingsley, the following entitled ordinance was taken up and read a second time:

G. O. No. 21, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-sixth day of March, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Atlas Engine Works, granting permission, right and authority to said Atlas Engine Works, its successors and assigns, to construct, maintain and operate, in addition to and in connection with the present siding track, switches and appurtenances, of said Atlas Engine Works, further tracks in and upon certain streets and alleys of the city of Indianapolis.

On motion of Mr. Billingsley, G. O. No. 21, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, 1, viz.: Mr. Berry.

On motion of Mr. Billingsley, the following entitled ordinance was taken up and read a second time:

G. O. No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street in the city of Indianapolis, Indiana.

On motion of Mr. Billingsley, G. O. No. 22, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, 1, viz.: Mr. Kelly.

On motion of Mr. Billingsley, the following entitled ordinance was taken up and read a second time:

G. O. No. 23, 1902: An ordinance approving a certain contract giving the U. S. Encaustic Tile Works the right to lay and maintain a switch or sidetrack across Sixteenth street, in the City of Indianapolis, Indiana.

On motion of Mr. Billingsley, G. O. No. 23, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes: None.

On motion of Mr. Billingsley, the following entitled ordinance was taken up and read a second time:

G. O. No. 24, 1902: An ordinance approving a certain contract granting to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and W. J. Holliday & Company the right to lay and maintain two switches or sidetracks, the first crossing Chesapeake street and the second crossing Georgia street, in the city of Indianapolis, Indiana.

On motion of Mr. Billingsley, G. O. No. 24, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 2, viz.: Messrs. Kelly and Wolsiffer.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 12, 1902: An ordinance prohibiting the location, erection, construction or building hereafter of stock yards within the corporate limits of the city of Indianapolis, and also prohibiting the engaging in or carrying on of the general business of handling, feeding, selling or otherwise disposing of hogs, cattle, sheep, horses or other live stock of any kind whatsoever at any such stock yards; providing a penalty for the violation thereof, and for the publication of the same and fixing a time when the same shall take effect.

Mr. Sourbier moved that G. O. No. 12, 1902, be stricken from the files.

Which motion prevailed.

Mr. Warweg called up G. O. No. 10, 1902.

Mr. Eppert asked for two weeks' additional time in which to consider the ordinance.

Which was granted.

On motion of Mr. Billingsley the Common Council referred back to the order of business: "Introduction of General and Special Ordinances."

Under this order of business, the following ordinance was introduced:

By Mr. Billingsley:

G. O. No. 32 $\frac{1}{2}$, 1902: An ordinance changing the name of the street known as "Apple Tree Lane," to that of Larch street, and fixing a time when the same shall take effect.

Section 1. Be it ordained, by the Common Council of the City of Indianapolis, Indiana, That the street now known and designated as "Apple Tree Lane," extending from Eleventh street to Twelfth street, shall hereafter be known and designated as Larch street.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

On motion of Mr. Berry, the Common Council, at 9:00 o'clock p. m., adjourned.

R. M. Alderman
President.

ATTEST: *Charles H. Bennett*
City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

WEDNESDAY, April 30, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday, April 30, 1902, at 2 o'clock p. m., in special session, pursuant to the following call:

INDIANAPOLIS, April 29, 1902.

To the President, City Clerk and Members of the Common Council of the City of Indianapolis:

We, the undersigned, by virtue of the authority vested in us as members of the Common Council of the city of Indianapolis, Indiana, under the charter of said city, do hereby call a special meeting of said Common Council to be held in the council chamber at 2 o'clock p. m., on the 30th day of April, 1902, for the purpose of taking appropriate action on the death of the mother of our fellow member, James E. Berry.

And the City Clerk is hereby directed to serve notice of such meeting on each and every member of said Common Council.

H. E. NEGLEY,
JNO. H. CRALL,
JAMES D. MORIARITY,
M. C. KELLY,
A. H. WAHL.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 13 members, viz.: Messrs. Billingsley, Cooper, Crall, Kelly, Moriarity, McFarland, Negley, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, and Mr. Wynne.

Absent, 7, viz.: Messrs. Berry, Eppert, Holliday, Meyer, Shea, Wyson and President Haldeman.

MISCELLANEOUS BUSINESS.

Mr. Negley offered the following resolution:

Resolution No. 4, 1902: Whereas, the shadow of death has visited the home of our fellow member, James E. Berry, and he has suffered the loss of a kind and loving mother; therefore be it

Resolved, By this Common Council now assembled, That we extend to our said fellow member our most sincere sympathy in this hour of

his sorrow; and we hereby extend to him our assurance of the kindest remembrance in his bereavement; and be it further

Resolved, That a copy of these resolutions be engrossed by the City Clerk, and transmitted to the home of our said fellow member, James E. Berry.

H. E. NEGLEY.

Which was read and, on motion of Mr. Wahl, adopted by the following vote:

Ayes, 14, viz.: Messrs. Billingsley, Cooper, Crall, Kelly, Moriarity, McFarland, Negley, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, and Vice-President Rhodes.

Noes, none.

Mr. Billingsley moved that a committee of five be appointed to officially represent the Common Council at the funeral of Mrs. Berry.

Which motion prevailed, and Vice-President Rhodes appointed the following named members to constitute said committee: Messrs. Billingsley, Sourbier, Moriarity, Wolsiffer and Wahl.

On motion of Mr. Sourbier the Common Council, at 2:20 o'clock p. m., adjourned.


President pro tem.

ATTEST:



City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, May 5, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 5, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Messrs. Eppert and Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

Messrs. Eppert and Holliday arrived at 8:10 o'clock and took their seats.

COMMUNICATIONS, ETC., FROM MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, April 28, 1902.

To the City Clerk, President and Members of Common Council:

Gentlemen—I have signed and approved the following ordinances:

G. O. No. 24, 1902: "An ordinance approving a contract granting the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and W. J. Holliday Company the right to lay and maintain two switches

or sidetracks, the first crossing Chesapeake street and the second crossing Georgia street, in the city of Indianapolis, Ind."

G. O. No. 23, 1902: "An ordinance approving a certain contract giving the U. S. Encaustic Tile Works the right to lay and maintain a switch or sidetrack across Sixteenth street, in the city of Indianapolis, Indiana."

G. O. No. 22, 1902: "An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street, in the city of Indianapolis, Indiana."

G. O. No. 21, 1902: "An ordinance confirming and approving a contract made and entered into between the city of Indianapolis, Ind., and the Atlas Engine Works, granting the Atlas Engine Works the right to construct additional sidetracks in the city of Indianapolis, Indiana."

G. O. No. 13: "An ordinance requiring the Belt Railroad to station and maintain a flagman at Singleton street, in the city of Indianapolis, Indiana."

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communications from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, May 5, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities asking for an additional appropriation on account of smallpox.

I recommend that an ordinance be passed appropriating the sum of two thousand dollars, to be credited to the account known as the Contagious Disease Fund.

Respectfully submitted,
GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, May 5, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Health and Charities requesting an appropriation for the purpose of securing, if possible, a more wholesome supply of milk for our citizens.

After careful inquiry, I am of the opinion that existing conditions make it necessary that the department named be given additional help

and be afforded greater facilities to rigidly enforce all laws, rules and regulations regarding the supply and sale of milk.

I therefore recommend that an ordinance be passed appropriating the sum of \$750 for the purposes herein indicated.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, May 5, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith present a communication from His Honor, the Mayor, recommending the appropriation of \$200 for the purpose of defraying the expenses of Memorial Day.

I recommend that the sum of \$200 be appropriated for that purpose.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, May 5, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action G. O. No. 34, 1902, ratifying and confirming a contract entered into this day by and between the city of Indianapolis, by and through its Board of Public Works, and Buddenbaum & Heller, granting to the said Buddenbaum & Heller the right to construct and maintain a switch or sidetrack across Fletcher avenue in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

Communications from Board of Public Health:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,
City of Indianapolis.
INDIANAPOLIS, May 5, 1902.

To the Common Council of the City of Indianapolis:

Gentlemen—We are advised that there will be presented for your consideration at a meeting of this date, an ordinance submitted by the

Indianapolis Flower Mission, which provides for the erection on the City Hospital grounds, of a hospital for the care of persons suffering from such incurable diseases as tuberculosis, cancer, etc. This ordinance has already been submitted to this board, and has our unqualified indorsement and approval; and we believe recommends itself to any who give this matter serious consideration.

We believe the necessity for an institution such as that proposed, can not be questioned. There are in this city at all times many worthy cases in which persons in advanced stages of incurable diseases are unable to procure the necessary care looking to the amelioration of their symptoms. Such cases are moreover a constant menace to the lives of others, as they are found living under the most unsanitary surroundings, and without any regard for the possibilities of communicating their disease to others.

We can not receive them into the regular wards of the City Hospital, because of the danger of contagion, as also our capacity would soon be exhausted.

The Indianapolis Flower Mission has made to the city a very generous offer, which we can not afford to reject; as the class of cases which they seek to relieve are the very ones who are most deserving of public charity. The place for managing this institution is one which we believe will prove satisfactory. We trust that this ordinance may receive your unanimous support.

GEORGE H. F. HOUSE, M. D.

GEORGE D. KAHLO, M. D.

FREDERICK C. HEATH, M. D.

Commissioners Public Health and Charities.

EUGENE BUEHLER, M. D.,

City Sanitarian and Secretary.

Which was read and referred to Committee on Finance.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.

City of Indianapolis.

INDIANAPOLIS, May 1, 1902.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—I have the honor to report that the special appropriation of \$2,500 is nearly exhausted. The number of houses under quarantine have increased during the last month and there seems to be little or no abatement in the number of smallpox patients.

The contagious hospital has been full of patients to its limit for weeks, and the expense of maintaining them is very considerable.

The number of houses under quarantine at this time is thirty-five.

We have endeavored to curtail expenditures in not placing watchers at every place quarantined. Where we are certain that strict quarantine would be maintained, guards are dispensed with.

For the first four months of this year, 1902, we have had 226 new cases of smallpox.

We ask you to obtain an additional appropriation of \$2,000 or \$2,500, as you deem best. Trusting that you will take immediate steps in the matter, I am

Very respectfully yours,

EUGENE BUEHLER,

Secretary.

Which was read and referred to Committee on Finance.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,
City of Indianapolis.

INDIANAPOLIS, May 2, 1902.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—In the hope of securing for the citizens of Indianapolis a better supply of wholesome milk, and thereby we believe greatly diminishing the usual increased mortality among infants in the heated season, it is the purpose of the Board of Health to institute a most searching investigation into the sanitary conditions of all dairies, milk depots and groceries from which milk is delivered to this market.

It is only by constant vigilance and systematic surveillance of these places that the standard adopted by the board can be maintained.

In order to do this properly, the board has been hampered by lack of funds and sufficient help and means of transportation.

We therefor recommend a temporary Milk Inspector be appointed at a salary of \$2.25 per day, the same as the regular Inspectors.

This appointment to be for six months only. Also two horses and harness and \$100 per year for maintenance of same, which makes a total appropriation of \$750 for this purpose.

We trust that you will take immediate steps to obtain this.

Very respectfully yours,

By order of the Board.

EUGENE BUEHLER,
Secretary Board of Health.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Eppert, on behalf of Committee on Ordinances, to which was referred Special O. No. 4, 1901: An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, May 5, 1902.

To the President, and Members of the Common Council:

Gentlemen—We, your Committee on Ordinances, to whom was referred Special O. No. 4, 1901, again beg leave to report on said ordinance as follows:

We recommend that said ordinance be amended by striking out of section 1 of the same, all that part of said section beginning with the word "commencing" in the tenth (10th) line of said section and ending with the word "college" in the twenty-eighth (28th) line of said section, and inserting in lieu thereof the following:

"Commencing at the present corporation line of the city of Indianapolis, Marion county, Indiana, at the intersection of the center lines of North Meridian and Thirty-eighth street; thence running east in the center line of thirty-eighth street to the center line of Delaware street

in Washington township; thence south in the center line of North Delaware street in Washington township to a point one hundred and eighty-four and fifty-nine hundredths (184 59-100) feet north of the north line of Thirty-fourth street; thence east on the north line of lots twenty-nine (29) and twenty-eight (28) in Washington Park, to Central avenue; thence continuing east across Central avenue to a point one hundred and thirty-one (131) feet east of the east property line of Central avenue; thence south and one hundred and thirty-one (131) feet east of the east property line of Central" And when so amended, we recommend that said Special O. No. 4, 1901, do pass.

FRED W. EPPERT,
W. H. WHEELER.

Committee.

Which was read and concurred in by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, 2, viz.: Messrs. Billingsley and Moriarity.

Mr. Cooper, on behalf of a majority of the Committee on Railroads, to which was referred G. O. No. 30, 1902: An ordinance approving a certain contract granting E. C. Atkins & Company the right to lay and maintain a switch or sidetrack across the first alley north of South street, South street and in and along Eddy street in the city of Indianapolis.

Made the following report:

INDIANAPOLIS, May 5, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to whom was referred G. O. No. 30, 1902, have had the same under consideration, and recommend that the same do pass.

LEW W. COOPER,
T. A. WYNNE,
J. H. BILLINGSLEY,
J. S. HOLLIDAY.

Which was read.

Mr. Wolsiffer, on behalf of a minority of the Committee on Railroads, to which was referred G. O. No. 30, 1902, made the following report:

INDIANAPOLIS, May 5, 1902.

To the President and Members of the Common Council:

Gentlemen—Your minority member of the Committee on Railroads, to whom was referred G. O. No. 30, 1902, has considered said ordinance and recommends that same do not pass.

JOHN WOLSIFFER.

Which was read.

Mr. Berry moved that the minority report be substituted for the majority report.

Which motion was lost by the following vote:

Ayes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Noes, 13, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

On motion of Mr. Crall, the majority report was concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 26, 1902: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to keep and maintain flagmen at English avenue and Fletcher avenue crossings.

Made the following report:

INDIANAPOLIS, May 5, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to which was referred G. O. No. 26, 1902, have given it careful consideration and would recommend that it be amended by striking out "Fletcher avenue" in section 1, and in the eleventh line the words "each of," thus making it to provide for a flagman at English avenue only, and when so amended we recommend that the same do pass.

J. S. HOLLIDAY,
FRED W. EPPERT,
W. A. RHODES,
T. A. WYNNE,
ANDREW H. WAHL.

Which was read and, on motion of Mr. Holliday, concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By City Comptroller (through Mr. Wynne):

App. O. No. 10, 1902: An ordinance appropriating the sum of two hundred (\$200) dollars to the Department of Finance, to be expended towards defraying the expenses attending the proper observance of Memorial Day, May 30, 1902, at Indianapolis, Marion county, Indiana, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated out of

the current revenues of the city of Indianapolis, the sum of two hundred (\$200) dollars, or as much thereof as may be necessary, to the Department of Finance, for the purpose of defraying the expenses attending the proper observance of Memorial Day, May 30, 1902, at Indianapolis, Marion county, Indiana, and the City Comptroller is hereby authorized to draw his warrant upon the treasury of said city for the above named sum

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 11: An ordinance relating to the founding and maintenance of a hospital for persons suffering from incurable diseases, by the Indianapolis Flower Mission and city of Indianapolis and creating a trust.

Whereas, The Indianapolis Flower Mission, an incorporated charitable society of the city of Indianapolis, Indiana, has secured a fund for the erection and equipment of a home or hospital for the care and treatment of residents of Marion county, Indiana, suffering from incurable diseases, and especially for the diseases of consumption and cancer, and who are unable to secure proper medical treatment and nursing for themselves, and

Whereas, The Indianapolis Flower Mission has submitted a written proposition to the Mayor and Common Council of the city of Indianapolis, dated May 3, 1902, to erect such home or hospital on ground belonging to the city of Indianapolis, viz., on the City Hospital grounds, and to equip said home or hospital with all necessary furnishings and appliances, provided that the said home or hospital shall be held in trust by the city of Indianapolis for the care of the class of patients hereinbefore described until such time as the Indianapolis Flower Mission shall consent by proper action that the said home or hospital be devoted to other uses or purposes; and provided that the city of Indianapolis shall furnish an adequate fund from year to year for the proper maintenance of said home or hospital; and, provided further, that the management of said home or hospital be vested in an executive committee or board of three members to be appointed from time to time by the said Indianapolis Flower Mission, said executive committee or board to be in all things under the supervision and control of the Department of Health and Charities of the city of Indianapolis. Now, Therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the city of Indianapolis hereby accepts said trust, and the Board of Public Works of the city of Indianapolis is hereby authorized and directed to select and designate the site for the location on the City Hospital grounds of a home or hospital for the care and treatment of residents of Marion county, Indiana, suffering from incurable diseases, and especially for the diseases of consumption and cancer, and who are unable to secure proper medical treatment and nursing for themselves, and the Indianapolis Flower Mission, an incorporated charitable society of the city of Indianapolis, Indiana, is hereby given and granted permission through its proper officers and representatives

to enter upon the ground so selected and designated by said Board of Public Works, and to erect thereon said home or hospital.

Sec. 2. The management of said home or hospital shall be vested in an executive committee, or board, of three members, appointed from time to time by the Indianapolis Flower Mission of the city of Indianapolis; said executive committee or board to be in all things under the supervision and control of the Department of Health and Charities.

Sec. 3. Persons who are residents of Marion county, but not residents of the city of Indianapolis, may be admitted to and treated in its said home or hospital if otherwise admissible, provided the county of Marion shall contribute to the maintenance fund of said home or hospital in suitable proportion to the number of its patients admitted to and treated in said home or hospital.

Sec. 4. That there be and is hereby appropriated out of the general funds in the city treasury not otherwise appropriated to and for the use of the Department of Health and Charities for the maintenance of said home or hospital from its completion until the 1st day of January, 1903, the sum of one thousand (\$1,000) dollars.

Sec. 5. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 12, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated for the use of the Department of Public Health and Charities, to be credited to the fund known as "Contagious Disease Fund," the sum of two thousand (\$2,000) dollars.

Sec. 2. An emergency existing for the immediate taking effect of this ordinance, the same shall be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 13, 1902: An ordinance appropriating the sum of seven hundred and fifty dollars for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect:

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated for the use of the Department of Public Health and Charities the sum of seven hundred and fifty dollars, such sum to be apportioned as follows, viz.:

Salary account	\$400
Horse board account	100
Incidental account	250
	\$750

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 33, 1902: An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or sidetrack across Fletcher avenue in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 2nd day of May, 1902, Buddenbaum & Heller filed their petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, May 2, 1902.

To the Board of Public Works of Indianapolis:

Gentlemen—The undersigned, Buddenbaum & Heller, owners of certain real estate abutting Fletcher avenue, respectfully petition your honorable Board, asking permission to construct and maintain one sidetrack across Fletcher avenue, for the purpose of entering the grounds of the said Buddenbaum & Heller, as follows: The center line of said proposed switch begins in the south line of Fletcher avenue 18 feet east of the northwest corner of lot 17; thence crossing Fletcher avenue on a 12-degree curve to a point in the north line of Fletcher avenue 68 feet east of the southwest corner of lot 6, all in Rockwood's Addition, as shown by the drawing hereto attached, filed herewith and for greater certainty marked "Exhibit A."

Your petitioners pray that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

BUDDENBAUM & HELLER,

By E. E. HELLER.

Now, Therefore, This agreement, made and entered into this 5th day of May, 1902, by and between Buddenbaum & Heller, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part:

Witnesseth: That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Fletcher avenue in the city of Indianapolis, which is more specifically described in the petition of the said first party, hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its

successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

1. It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

2. Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

3. The crossing where said sidetrack or switch intersects Fletcher avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

4. Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch, or in causing the same to be done, said Board shall in nowise become a trespasser.

5. The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, of Fletcher avenue, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

6. The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

7. Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract; provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Fletcher avenue in the city of Indianapolis, as follows: The center line of said proposed switch begins in the south line of Fletcher avenue 18 feet east of the northwest corner of lot 17; thence crossing Fletcher avenue on a 12-degree curve to a point in the north line of Fletcher avenue 68 feet east of the southwest corner of lot 6, all in Rockwood's Addition, as shown by the drawing hereto attached, filed herewith and for greater certainty marked "Exhibit A."

In witness whereof, we have hereunto set our hands this 5th day of May, 1902.

BUDDENBAUM & HELLER,

By E. E. HELLER,

Party of the first part.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works, Party of the second part.

And, whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be, and the same is hereby, in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Kelly:

G. O. No. 34, 1902: An ordinance making it unlawful to accost any female by words or actions under certain circumstances, prohibiting the habitual standing in certain public places, and providing penalties for the violation of the same.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall be unlawful for any male person to address, speak to or in any manner accost by word, sign, gesture or action any female in any public place in said city unless such female shall have been previously acquainted with such male person, or unless such male person shall believe in good faith and have good cause to believe at the time that he is acquainted with and known to such female, or unless some good reason for addressing or accosting such female exists, and such male person's words and actions be free from insult and offense.

Sec. 2. It shall be unlawful for any male person to habitually loiter or habitually stand upon, about or in any street, alley, park or other public place in said city where females are accustomed to pass.

Sec. 3. Any person violating any provision of this ordinance shall be fined in any sum not exceeding one hundred dollars, to which may be added imprisonment for any period not exceeding thirty days.

Sec. 4. This ordinance shall take effect and be in force from and after its passage and publication once each week for two consecutive weeks in some newspaper of general circulation printed and published in said city.

Which was read a first time and referred to Committee on Public Morals.

MISCELLANEOUS BUSINESS.

Under this order of business the following resolution was introduced: Resolution No. 5, 1902:

Be it resolved by the Common Council of the city of Indianapolis, That permission and authority are hereby given the Gentry Dog and Pony Show, to exhibit the said show at any place in this city outside of the area bounded by North street, East street, South street, and West street, at any time during the year 1902, upon payment to the City Comptroller of the usual license fee charged by the city for such shows and exhibitions.

And said Gentry Dog and Pony Show is hereby authorized to give its exhibitions without first procuring the written consent of the resident voters within one square of the place where such show and exhibitions are given.

JNO. H. CRALL.

Which was read and adopted by the following vote:

Ayes, 21, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne, Wyson and President Haldeman.

Noes, none.

The following communications were read and referred to Committee on Finance:

INDIANAPOLIS, March 26, 1902.

George T. Breunig, City Comptroller:

Dear Sir—For three or more years past the City Council of this city has very generously appropriated the sum of \$200 for the purpose of defraying the legitimate expenses of observing Memorial Day.

The entire amount of this appropriation has never been used, but after paying the necessary expenses allowed by the general Committee on Arrangements, the balance has been converted back into the City Treasury.

At a meeting of the general Committee on Arrangements held in Room 25, State House, on Friday evening, the 21st inst., we were instructed to ask through you an appropriation from the City Council of

\$200 with which to pay such expenses as the committee might incur this year.

I wish to call your attention, for your own guidance, to the fact that in the years 1899, 1900, and 1901 the City Council appropriated each year \$200.

Reports will show that in 1899 the sum of \$23.60 was converted back into the city treasury; in 1900, \$34.20; and in 1901, \$24.31.

I mention this that you may know personally and be enabled to present it to the Council that nothing has been expended except in a legitimate way.

I enclose herewith a copy of the ordinance declared one year ago expending the sum of money above asked for.

This appropriation is not asked for for our own personal good or aggrandizement, but rather to keep alive the spirit of patriotism that prompted the young men of this country in the years 1861 to 1865 to leave their homes and firesides and march to the front to battle for the preservation of our flag and government.

Very respectfully,

CAREY McPHERSON,

Secretary.

W. N. PICKERILL,

President.

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, April 30, 1902.

Hon. Geo. T. Breunig, Comptroller, City of Indianapolis:

Dear Sir—I return you herewith the communication from W. N. Pickerill, President, and Carey McPherson, Secretary of the Grand Army Memorial Day Committee, in which request is made for an appropriation of \$200 from the City Council for the purpose of defraying part of the expense of the observance of Memorial Day.

I desire to earnestly request that you present to the Council at its meeting on Monday, May 5th, an ordinance, providing for the appropriation of such amount. While I am opposed, as a general proposition, to the appropriation of public money for any purpose other than the legitimate needs of the city government, I believe that this request, coming as it does from the committee of the survivors of the civil war, has particular claims for consideration. Memorial Day belongs to all of the people alike and it does not occur to me that any reasonable objection can be offered to this appropriation. I remain

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

To the Mayor and Common Council of the City of Indianapolis:

Gentlemen—A large number of representative citizens, realizing that there is no hospital or home in the city of Indianapolis supported by the State, county or city, or by charity, to which persons believed to be suffering from incurable diseases can be admitted, and that there are many such who need support and skilled nursing and treatment who are unable to provide the same for themselves, and who have been and are dependent upon the ministrations of the Indianapolis Flower Mission, have given said society a fund of ten thousand (\$10,000) dollars for the erection and equipment of a home or hospital for the care and treatment of residents of Marion county, Indiana, suffering from incurable diseases, and especially from the diseases of consumption and cancer, and who are unable to secure proper medical treatment and

nursing for themselves, and the Indianapolis Flower Mission now submits this proposition through you to the city of Indianapolis to erect such a home or hospital, on the City Hospital grounds and to equip said home or hospital with all necessary furnishings and appliances, provided that the said home or hospital shall be held in trust by the city of Indianapolis for the care of the class of patients above mentioned, until such time as the Indianapolis Flower Mission shall consent, by proper action, that the said home or hospital shall be devoted to other uses or purposes, and provided that the city of Indianapolis shall furnish an adequate fund from year to year for the proper maintenance of said home or hospital, and provided that persons who are residents of Marion county, but not residents of the city of Indianapolis, may be admitted to and treated in said home or hospital, if otherwise admissible, provided the county of Marion, through its proper officers and representatives, shall contribute to the maintenance fund of such home or hospital in suitable proportion to the number of its patients admitted to and treated in said home or hospital; and, provided further, that the management of said home or hospital is vested in an executive committee, or board, of three members, to be appointed from time to time by the said Indianapolis Flower Mission, said executive committee or board to be in all things under the supervision and control of the Department of Health and Charities of the city of Indianapolis. The Indianapolis Flower Mission agrees, as a part of this proposition, that the said home or hospital, with its furnishings and equipments, shall cost not less than the sum of ten thousand (\$10,000) dollars. It is understood that the site for the location of said home or hospital on said City Hospital grounds is to be selected and designated by the Board of Public Works of the city of Indianapolis as soon as possible after the passage of a proper ordinance, and that the Indianapolis Flower Mission is to be given and granted permission, through its proper officers and representatives, to enter upon the ground so selected and designated and to erect thereon said home or hospital.

INDIANAPOLIS FLOWER MISSION,

By SARAH LANG KAHN,

CAROLINE HENDERSON GRIFFITHS,

MRS. VICTOR HENDRICKS,

Indianapolis, Ind., May 3, 1920.

Committee.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

Special Ordinance No. 4, 1901: An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

On motion of Mr. Eppert, Special O. No. 4, 1901, was amended as recommended by committee report.

On motion of Mr. Eppert, Special O. No. 4, 1901, was then ordered engrossed as amended, read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, 2, viz.: Messrs. Billingsley and Moriarity.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 30, 1902: An ordinance approving a certain contract granting E. C. Atkins & Company the right to lay and maintain a switch or sidetrack across the first alley north of South street, South street and in and along Eddy street in the city of Indianapolis.

On motion of Mr. Negley, G. O. No. 30, 1902, was then ordered engrossed, read a third time and failed of passage by the following vote:

Ayes, 6, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, and Wynne.

Noes, 15, viz.: Messrs. Berry, Holliday, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wysong and President Haldeman.

Mr. Negley offered the following:

INDIANAPOLIS, May 5, 1902.

Mr. President—I hereby give notice that at the next regular meeting of this Common Council, I will move for a reconsideration of the vote taken on this date on G. O. No. 30, 1902.

H. E. NEGLEY.

On motion of Mr. Shea, the following entitled ordinance was taken up and read a second time:

G. O. No. 26, 1902: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to keep and maintain flagmen at English avenue and Fletcher avenue crossings.

On motion of Mr. Shea, G. O. No. 26, 1902, was amended as recommended by committee report.

On motion of Mr. Shea, G. O. No. 26, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 21, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, none.

On motion of Mr. Negley, the Common Council, at 9:15 o'clock p. m., adjourned.

H. M. Haldeman
President.

ATTEST:

Charles N. Elliott
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, May 19, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 19, 1902, at 8:00 o'clock, in regular session.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 18 members, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Mr. Cooper and President Haldeman.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, May 19, 1902.

To the President, Members of the Common Council, and the City Clerk:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 26, 1902: "An ordinance requiring the Cleveland, Cincinnati, Chicago and St. Louis Railway Company to keep and maintain a flagman at English avenue crossing."

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, May 19, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I return herewith, without my approval, Special O. No. 4, 1901, being “An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.”

The description of the territory proposed to be annexed is faulty, the east line of the proposed new city limits being described as located in Washington township when it should be in Center township.

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and, on motion of Mr. Crall, Special Ordinance No. 4, 1901, was referred back to Committee on Ordinances.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 10, 1902: “An ordinance appropriating the sum of two hundred (\$200) dollars to the Department of Finance, to be expended towards defraying the expenses attending the proper observance of Memorial Day, May 30, 1902, at Indianapolis, Marion county, Indiana, and fixing the time when the same shall take effect.”

Made the following report:

INDIANAPOLIS, May 17, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 10, 1902, under consideration, and recommends that same do pass.

T. A. WYNNE,
W. A. RHODES,
JNO. H. CRALL,
B. F. WYSONG,
FRED W. EPPERT,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read and concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 12, 1902: “An ordinance appropri-

ating the sum of two thousand dollars (\$2,000) for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect."

Made the following report:

INDIANAPOLIS, May 17, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 12, 1902, under consideration, and recommends that same do pass.

T. A. WYNNE,
W. A. RHODES,
JNO. H. CRALL,
B. F. WYSONG,
FRED W. EPPERT,
JAMES D. MORIARITY,
JAS. E. BERRY.

Which was read and concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 33, 1902: "An ordinance changing the name of the street known as 'Apple Tree Lane' to that of 'Larch' street, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, May 19, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to whom was referred G. O. No. 33, 1902, has given it careful consideration, and begs to recommend that same do pass.

J. S. HOLLIDAY,
T. A. WYNNE,
FRED W. EPPERT,
W. A. RHODES,
ANDREW H. WAHL.

Which was read and concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Shea:

G. O. No. 35, 1902: An ordinance regulating the Fire Department and establishing and fixing the compensation of the members thereof.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, as follows: That it is hereby made the duty of the Board of Public Safety, to select, appoint and employ ten additional firemen in the Fire Department, to act as substitutes in said Department, when any of the regular members thereof shall be incapacitated or relieved from duty as hereinafter provided.

Sec. 2. Each regular and permanent member of said Fire Department, shall be excused, relieved and absolved from duty in said Department one day in each week, and in addition thereto shall receive a furlough of one week in each year, and said members shall receive compensation for said time.

Sec. 3. Said substitutes shall be assigned to take the place of the regular members of said Department, who shall be off duty as in section 2 provided, or of the regular members who shall be incapacitated by illness. When any regular member of said Department shall be absent from duty, except as in section 2 provided, or except they shall be incapacitated by reason of illness, they shall not during such absence receive compensation during such time as they shall not be on duty. In the event any regular fireman shall not be allowed or permitted to take leave of absence of one day in each week, or one week in addition thereto during each year, then such regular fireman shall be allowed extra compensation for said time at the rate of two dollars and fifty cents per day, said sum to be paid them in addition to their regular salary, as fixed and established in section 4 of this ordinance.

Sec. 4. The salaries of the members of said Department shall be established as follows: Assistant Chiefs, \$1,500 per annum; Superintendent of Telephone, \$1,500 per annum; each Captain, \$85 per month; each Engineer, \$85 per month; each Lieutenant, \$80 per month; each driver, stoker, pipeman, ladderman, lineman, tower watchman and telephone operator shall receive \$2.50 per day, for six days in the week; each substitute shall receive \$40 per month.

Sec. 5. In order to raise funds to pay increase, by reason of this ordinance, the sum of two thousand and five hundred dollars is hereby appropriated.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

G. O. No. 36, 1902: An ordinance concerning the prevention of disturbances of public gatherings.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That, if any person shall, during any public gathering of people in the city of Indianapolis, county of Marion, State of Indiana, throw at, against or upon any other person what is commonly called and known as "confetti," or any other substance, without first having obtained permission from such other person so to do, such person, on conviction of such offense, before the Police Court of the city of Indianapolis, shall be fined in any sum not less than five dollars nor more than fifty dollars.

Sec. 2. That, if any person shall, during any public gathering of people in the said city of Indianapolis, push, crowd or pull any other person without first having obtained permission from such other person so to do, such person shall, on conviction of such offense, before the Police Court of the city of Indianapolis, be fined in any sum not less than five dollars nor more than fifty dollars.

Sec. 3. That this ordinance shall be in effect from and after passage and its publication as required by law.

Which was read a first time and referred to Committee on Public Safety and Comfort.

On motion of Mr. Eppert, the Common Council referred back to the order of business: Report of Committee on Ordinances.

Mr. Eppert, on behalf of the Committee on Ordinances, to which was referred G. O. No. 10, 1902: "An ordinance regulating the price to be charged consumers of electric light in the city of Indianapolis, fixing a penalty and time of taking effect of same."

Made the following report:

INDIANAPOLIS, May 19, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Ordinances, have had under consideration General Ordinance No. 10, and we recommend that same do not pass.

FRED W. EPPERT,
W. H. WHEELER.

Which was read and failed of adoption by the following vote:

Ayes, 9, viz.: Messrs. Crall, Eppert, Holliday, McFarland, Negley, Wheeler, Wynne, Wysong, and Vice-President Rhodes.

Noes, 10, viz.: Messrs. Berry, Billingsley, Kelly, Meyer, Moriarity, Shea, Sourbier, Wahl, Warweg, and Wolsiffer.

Mr. Wheeler moved that the Common Council refer back to the order of business: Report of Committee on Public Morals.

Which motion was lost.

MISCELLANEOUS BUSINESS.

Under this order of business the following communication was read:

INDIANAPOLIS, May 19, 1902.

To the President and Members of the City Council:

Gentlemen—May 30 is a national holiday, at which time the graves of all soldiers who have fought for their country are decorated, and on which day the patriotic citizens of Indianapolis will perform that solemn duty.

Your honorable Board is cordially invited to attend in a body. The assemblage will meet this year at the east entrance to Crown Hill Cemetery at 2 o'clock p. m., and march from there to the soldiers' plat where the ritualistic work of the G. A. R. will be read, and an address made by the Hon. William Warner, of Kansas City, Mo.

Trusting that your honorable body will accept, we remain

Very truly,

CAREY M. McPHERSON.

WM. N. PICKERELL

Sec'y Gen'l Com. Arrangements.

Chairman.

Which was read, and the invitation accepted.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following ordinance was taken up and read a second time:

App. O. No. 10, 1902: An ordinance appropriating the sum of two hundred (\$200) dollars to the Department of Finance, to be expended towards defraying the expenses attending the proper observance of Memorial Day, May 30, 1902, at Indianapolis, Marion county, Indiana, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 10, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, none.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 12, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when same shall take effect.

On motion of Mr. Wynne, App. O. No. 12, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, none.

On motion of Mr. Billingsley the following entitled ordinance was taken up and read a second time:

G. O. No. 33, 1902: An ordinance changing the name of the street known as "Apple Tree Lane," to that of Larch street, and fixing a time when the same shall take effect.

On motion of Mr. Billingsley, G. O. No. 33, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 13, viz.: Messrs. Berry, Billingsley, Holliday, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong, and Vice-President Rhodes.

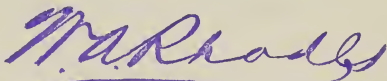
Noes, 6, viz.: Messrs. Crall, Eppert, Kelly, Meyer, Moriarity, and Wolsiffer.

Mr. Negley moved that the vote by which G. O. No. 30, 1902, was passed May 5, 1902, be reconsidered, which motion was lost by the following vote:

Ayes, 8, viz.: Messrs. Billingsley, Crall, Eppert, McFarland, Negley, Wheeler, Wynne, and Vice-President Rhodes.

Noes, 11, viz.: Messrs. Berry, Holliday, Kelly, Meyer, Moriarity, Shea, Sourbier, Wahl, Warweg, Wolsiffer and Wysong.

On motion of Mr. Berry, the Comomn Council, at 8:40 o'clock p. m., adjourned.



President Pro Tem.

ATTEST



City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, June 2, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 2, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 17 members, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent 3, viz.: Messrs. Billingsley, Cooper and Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT.

City of Indianapolis,

INDIANAPOLIS, May 22, 1902.

To the President of the Common Council:

Sir—I herewith return with my approval, App. O. No. 10, 1902, being "An ordinance appropriating the sum of two hundred (\$200) dollars to the Department of Finance, to be expended towards defraying the expenses attending the proper observance of Memorial Day, May 30, 1902, at Indianapolis, Marion county, Indiana, and fixing a time when the same shall take effect."

Also, App. O. No. 12, 1902, being "An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of

Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect."

Also, G. O. No. 33, 1902, being "An ordinance changing the name of the street known as 'Apple Tree Lane' to that of Larch street, and fixing a time when the same shall take effect."

Respectfully,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS, ETC., FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, June 2, 1902.

To the President and Members of the Common Council:

Gentlemen—App. O. No. 11, 1902, entitled "An ordinance relating to the founding and maintenance of a hospital for persons suffering from incurable diseases, by the Indianapolis Flower Mission and city of Indianapolis, and creating a trust," now pending before your honorable body, together with the communications from the Board of Public Health and Charities, and the Indianapolis Flower Mission (see proceedings of May 5), have received due consideration, and I herewith recommend the appropriation of the sum named in said ordinance.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, June 2, 1902.

To the President and Members of the Common Council:

Gentlemen—On September 25, 1901, the Board of Public Works ordered the vacation of the first alley south of Twenty-first street, from Meridian street to the first alley east, assessing benefits of \$350 respectively, against F. S. Hines and J. E. McCullough, and damages amounting to \$700 in favor of the city of Indianapolis, which benefits of \$700 was paid into the city treasury by said Hines and McCullough.

Afterwards, to-wit, on the 15th day of January, 1902, the Board of Public Works ordered the opening of the above described alley, assessing benefits against the city of Indianapolis in the sum of \$700, and awarding damages to F. S. Hines and J. E. McCullough, each the sum of \$350.

As there is no appropriation out of which this assessment against the city can be paid, I recommend that an ordinance be passed appropriating the sum of seven hundred dollars for the purpose herein indicated.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, June 2, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit an ordinance appropriating the sum of \$8,730.35, with which to pay interest on \$195,000 emergency bonds of 1901, and \$5,000 principal, the interest and principal being due and payable July 1, 1902; and recommend the passage of said ordinance.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, June 2, 1902.

To the President and Members of the Common Council:

Gentlemen—We refer to you herewith, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis, Lebanon & Franklin Traction Company.

Very respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE.
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 11, 1902: "An ordinance relating to the founding and maintenance of a hospital for persons suffering from incurable diseases, by the Indianapolis Flower Mission and City of Indianapolis and creating a trust."

Made the following report:

INDIANAPOLIS, May 29, 1902.

To the President and Members of the Common Council:

Your Committee on Finance, to which was referred App. O. No. 11, 1902, has had same under consideration and recommends that same do pass.

T. A. WYNNE,
B. F. WYSONG,
JNO. H. CRALL,
W. A. RHODES,
FRED W. EPPERT,
JAMES E. BERRY,
JAMES D. MORIARITY.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 13, 1902: "An ordinance appropriating the sum of seven hundred and fifty dollars (\$750), for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, May 17, 1902.

To the President and Members of the Common Council:

Your Committee on Finance has had App. O. No. 13, 1902, under consideration and recommends that same do pass.

T. A. WYNNE,
FRED W. EPPERT,
B. F. WYSONG,
W. A. RHODES,
JOHN H. CRALL,
JAMES E. BERRY,
JAMES D. MORIARITY.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 7, 1902: "An ordinance authorizing the Board of Public Works of the city of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred (\$13,500) dollars for such purpose, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, May 17, 1902.

To the President and Members of the Common Council:

Your Committee on Finance has had App. O. No. 7, 1902, under consideration, and recommends that same do pass.

T. A. WYNNE,
W. A. RHODES,
JNO. H. CRALL,
B. F. WYSONG,
FRED W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Negley, on behalf of the Committee on Judiciary, to which was referred G. O. No. 32, 1902: "An ordinance providing for the appointment of an Inspector of Plumbing and House Drainage, prescribing his qualifications, powers, duties and salary, and providing for the appointment of a Board of Registration and Examination, prescribing the manner of licensing master plumbers, providing for license fees, and prescribing the mode and manner of plumbing and house drainage in the city of Indianapolis; prescribing the penalties for the violation thereof and providing for the publication thereof, and fixing the time when the same shall take effect."

Made the following report:

To the President and Members of the Common Council:

Gentlemen—Your Committee on Judiciary, to whom was referred G. O. No. 32, 1902, begs leave to report as follows:

First. We recommend that the words "not less than" in the third line of Section 8 be stricken out, and that there be inserted in lieu thereof the word "within." And that there be added to said section the following: "And the Inspector shall, as nearly as practicable, notify the plumber of the time when he will reach such job, at the time he is notified that such job is ready for inspection."

Second. We recommend that the words "surety company" in the third line of Section 13 be stricken out, and that there be inserted in lieu thereof the words "good and sufficient." And that the words and figures "twenty dollars (\$20)" in the fifteenth, sixteenth and seventeenth lines of said section be stricken out, and that there be inserted in lieu thereof the words and figures "seventy-five dollars (\$75)."

Third. We recommend that a comma and the word "then" be inserted between the word "provided" and the word "with" in the fifth line of Section 15.

Fourth. We recommend that in Section 16 all following the word "walls" in the third line and preceding the word "Provided" in the fifth line be stricken out.

Fifth. We recommend that the words and figures "two (2) inches" in the twentieth line of Section 17 be stricken out, and that there be inserted in lieu thereof "the diameter of the pipe which it serves."

Sixth. We recommend that the word "or" in the last line of Section 24 be stricken out, and that there be inserted in lieu thereof the word "on."

Seventh. We recommend that the letters "ing" be stricken from the end of the second line of Section 30; and that the word "soldered" in the last line of said section be stricken out, and there be inserted in lieu thereof the word "wiped."

Eighth. We recommend that the word "galvanized" be inserted between the word "lead" and the word "wrought" in the first line of Section 32.

Ninth. We recommend that the words "water or," be inserted between the word "with" and the word "an" in the second line of Section 43.

Tenth. We recommend that following Section 43 there be inserted the following:

Sec. 44. Any plumber who shall feel himself aggrieved by a decision of the Inspector on any work which has been inspected, shall have the right of appeal to the Board of Public Works of said city; and the decision of said Board of Public Works shall be final."

And we recommend that Section 44 be numbered 45; that Section 45 be numbered 46; and that Section 46 be numbered 47.

And when so amended we recommend that said ordinance do pass. And we further recommend that this ordinance, in its amended form, be printed in full in the proceedings of this meeting.

H. E. NEGLEY,
FRED W. EPPERT,
M. C. KELLY.

Which was read, and, upon motion of Mr. Negley, concurred in.

Mr. Eppert, on behalf of the Committee on Ordinances, to which was referred G. O. No. 10, 1902: "An ordinance regulating the price to be charged consumers of electric light in the city of Indianapolis, fixing a penalty and time of taking effect of same."

Made the following report:

INDIANAPOLIS, June 2, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Ordinances, have had under consideration G. O. No. 10, 1902, and we recommend that same do not pass.

FRED W. EPPERT,
W. H. WHEELER.

Which was read, and, upon motion of Mr. Eppert concurred in.

Mr. Wheeler, on behalf of the Committee on Public Morals, to which was referred G. O. No. 34, 1902: "An ordinance making it unlawful to accost any female by words or actions under

certain circumstances, prohibiting the habitual standing in certain public places and providing penalties for the violation of the same."

Made the following report:

INDIANAPOLIS, May 19, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Public Morals, to which was referred G. O. No. 34, 1902, has given it careful consideration and would recommend the same do pass.

W. H. WHEELER.
J. H. BILLINGSLEY.

Which was read, and, on the motion of Mr. Wheeler, concurred in by the following vote:

Ayes, 12, viz.: Messrs. Berry, Crall, Eppert, Kelley, Meyer, Shea, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Noes, 6, viz.: Messrs. Moriarity, McFarland, Negley, Rhodes, Sourbier, and President Haldeman.

Mr. Wynne, on behalf of the Committee on Railroads, to which was referred G. O. No. 33, 1902: "An ordinance approving a certain contract granting Buddenbaum and Heller the right to lay and maintain a switch or side-track across Fletcher avenue in the city of Indianapolis, Indiana."

Made the following report:

INDIANAPOLIS, June 2, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to which was referred G. O. No. 33, 1902, have had same under consideration and recommends that same do pass.

T. A. WYNNE.
J. S. HOLLIDAY.
JNO. WOLSIFFER.

Which was read, and, upon motion of Mr. Wynne, concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By City Comptroller (through Mr. Wynne):

App. O. No. 14, 1902: An ordinance appropriating the sum of seven hundred dollars for the Department of Public Works, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated for the

use of the Department of Public Works, to be credited to the account known as "Street Openings and Vacations," the sum of seven hundred dollars, for the purpose of paying benefits assessed against the city of Indianapolis on account of the opening of the first alley south of Twenty-first street, from Meridian street to the first alley east.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By City Comptroller (through Mr. Wynne):

App. O. No. 15, 1902: An ordinance appropriating the sum of \$8,730.35 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated the sum of eight thousand seven hundred and thirty dollars and thirty-five cents, for the use of the Department of Finance, as follows:

For payment of the principal on bonds Nos. 1 to 5, inclusive, of Emergency Bonds of 1901, due July 1, 1902. \$5,000.00

For payment of interest on \$195,000 Emergency Bonds of 1901, due July 1, 1902..... 3,730.35

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 37, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 2nd day of June, 1902, between the city of Indianapolis, by and through its Board of Public Works, and Indianapolis, Lebanon & Frankfort Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit, on the 2nd day of June, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis, Lebanon & Frankfort Traction Company, namely:

THIS AGREEMENT, made and entered into this, the 2nd day of June, 1902, by and between the city of Indianapolis, Marion county,

Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis, Lebanon & Frankfort Traction Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part,

WITNESSETH: That, Whereas, The said Indianapolis, Lebanon & Frankfort Traction Company has presented its written petition to the Board of Public Works of said city of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein, and hereinafter named, over the tracks of the Indianapolis Street Railway Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe,

Now, Therefore, The said Board of Public Works of said city of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, empower and permit the said Indianapolis, Lebanon & Frankfort Traction Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company, now laid and in use upon the following streets and avenues of said city, to wit:

Entering Northwestern avenue at Thirty-fourth street; thence southerly on Northwestern avenue to Twenty-first street; thence east on Twenty-first street to Senate avenue; thence south on Senate avenue to Indiana avenue; thence southeasterly on Indiana avenue to Illinois street; thence south on Illinois street to Maryland street; thence west on Maryland street to Kentucky avenue for a terminal point; thence returning east on Maryland street to Illinois street; thence north on Illinois street to Indiana avenue; thence northwesterly on Indiana avenue to Senate avenue; thence north on Senate avenue to Twenty-first street; thence west on Twenty-first street to Northwestern avenue; thence northerly on Northwestern avenue to the point of connection at Thirty-fourth street aforesaid.

Provided, however, That at any time prior to the first day of May, 1903, the said Company, party of the second part, and the Indianapolis Street Railway Company may, with the consent and approval of the Board of Public Works, designate and determine upon a different route than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company, which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; Georgia street, on the south; Delaware street, on the east, and Capitol avenue, on the west, which route is to remain unchanged for five years. But in the event said Company, party of the second part, and the said Indianapolis Street Railway Company, cannot agree on a route over the said line and tracks in and between said streets, or on the parts of said New York, Georgia and Delaware streets and Capitol avenue, forming boundaries as above described, or in

event they fail, neglect or refuse to designate said route before said first day of May, 1903, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundaries, but in such a way that said route will connect with the other part of the line over which said Company, party of the second part, enters the city, and at the same time connect with the terminal point established as herein described, or some other terminal point within the district so bounded, which shall have been fixed as above provided.

Provided further, however, That after said route is determined and established by either party, in accordance herewith, it shall so remain for a period of not less than five years, but at any time after five years, the said Board of Public Works, or the said Indianapolis Street Railway Company, with the consent and approval of the said Board of Public Works, may change said route in said streets, and at any and every interval of five years thereafter.

And that for the purpose of storing, cleaning and repairing its cars, when necessary, the said company may also run the same over the tracks of said Indianapolis Company, subject to the conditions hereinafter set forth, as follows:

From Illinois street west on Washington street to, into and returning from the barns and shops on West Washington street; from the intersection of Maryland and Illinois streets south on Illinois street to the Union Station; thence west on Louisiana street to and around the loop at the intersection of Capitol avenue and Louisiana street, to, into and returning from the Louisiana street car house and shops.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such interurban company, within such city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic, to or from the city of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said line by the Indianapolis Street Railway Company, which cars shall have the right of way, and so as not to delay or interfere in anywise with the running and operation of the cars of the said Indianapolis Street Railway Company, or to interfere with any schedule for the running of the said cars of said Indianapolis Company

which may hereafter be fixed by the Board of Public Works, and the said cars of the said Indianapolis, Lebanon & Frankfort Traction Company shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of said Railway Company under the law or any ordinance of the city of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said company and said city dated April 7, 1899, or any other existing grant or contract whether made to or with said company or some other person or corporation to the rights and obligations of which said company has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said Indianapolis, Lebanon & Frankfort Traction Company passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, that said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said Indianapolis, Lebanon & Frankfort Traction Company, party of the second part, shall not be stopped, either for receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its depot or station which may hereafter be established at such point as the Board of Public Works may approve. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company at such crossings or other places in said city.

5. The said company, party of the second part, may at all times carry on its passenger cars, or in suitable compartments thereof, provided for such purpose, or in express cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers being transported in such passenger cars, as is usually allowed to be carried by passengers on steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, that no live animals (except hunting dogs) shall be carried on any such cars or in any such compartment at any time; and, provided, further, that all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the depot or station of said company hereinafter referred to, for distribution and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at lay-over point: Provided, also, that fowls, properly secured in boxes or coops, may be carried in such cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport on its cars through or over the streets, alleys or avenues of such city live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in sections 5 and 7 as hereinafter provided, when it

shall have provided and established a freight depot in said city at some point which shall be approved by the Board of Public Works. After having provided and established such depot, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into the said depot, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies, which may be able to transport the same under any ordinance regulating such transportation.

7. The said company, party of the second part, within 180 days from the date of this contract, shall provide in the central part of said city, at some point to be approved by the Board of Public Works, a depot or station in which baggage, express matter, merchandise in boxes, crates or parcels, garden marketing, dairy products, properly enclosed and secured, hauled or to be hauled in the cars of said company through said city, shall be loaded and unloaded, and for the purpose of reaching its said depot, the right is hereby granted said company to lay its tracks across such streets, alleys or sidewalks, under the direction of the Board of Public Works, as may be necessary to run from its main line to said depot. Any such depot shall be kept clean and free from all noxious odors, and shall at all times be under the supervision of the Board of Health of said city, for the purpose of making and enforcing all necessary regulations to insure the cleanliness of the same: Provided, however, that until the expiration of said 180 days from the date of this contract said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company, to stand said cars upon some line of "dead track" as said Indianapolis Street Railway Company: Provided, that the selection of such "dead track" shall be first approved by the said Board of Public Works: and, provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of freight, designated in sections 5, 6 and 7 of this contract, baggage or merchandise, or property of any kind through the streets, alleys and avenues of said city, and if by them deemed necessary to the public health or comfort, or the convenience of public travel in said city, to prohibit the carrying of freight of any or all kinds through any of such streets, alleys and avenues.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, that if the Board of Public Works and Common Council of said city, under the power reserved to them under the contract heretofore entered into between said city and the Indianapolis Street Railway Company, shall by order or ordinance require said Indianapolis company to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within such city, and the said

company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space under specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the insurance of the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage on such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason

of such tracks or any part thereof being irregular, uneven or in anywise insufficient, and the right is reserved to the Board of Public Works of such city to order any needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said company, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of said company.

In case the said company, party of the second part, should fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designing the same, or concerning alarm bells, life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisal laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, that nothing herein contained shall be construed as an attempt to abridge or in anywise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, the said company, party of the second part, agrees and binds itself to pay to the said city on the 1st day of January, 1904, and annually thereafter during the first seven years of this franchise, the sum of five cents per round trip for each and every round trip made by any car of said company over the streets of said city, during the year preceding said date; and thereafter annually during the next ten years the sum of fifteen cents per round trip for each and every round trip made by any car of said company over the streets of said city during the preceding year; and for the balance of said period for which said franchise is granted, said party of the second part agrees and binds itself to pay as aforesaid the sum of twenty-five cents per round trip for each and every car as above described.

The president of said company, or other executive officer thereof, shall at the time of such payment file with the City Comptroller a sworn statement as to the total number of round trips made by each car aforesaid within such city during the year or period preceding.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it should undertake to so run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it should thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line, within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered on the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company hereby granted, is subject to the payment by said company, party of the second part, to said Railway Company, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said Railway Company shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the city of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city, and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after

the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In witness whereof, said parties have hereunto set their hands and seals this 2nd day of June, 1902.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

CHARLES A. BOOKWALTER, Mayor.

INDIANAPOLIS, LEBANON & FRANKFORT TRACTION CO.,

By GEO. TOWNSEND, Pres.

Attest: W. S. REED, Sec'y.

And, Whereas, Said contract and agreement has been submitted by said Board of Public Works of said city of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 2nd day of June, 1902, by the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Lebanon & Frankfort Traction Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis, Lebanon & Frankfort Traction Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Mr. Eppert:

Special O. No. 1, 1902: An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the boundary line of said city of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory contiguous to said city of Indianapolis, Indiana, whether platted or not, which said following described contiguous territory is hereby annexed to and made a part of the territory constituting and forming the city of Indianapolis, Marion county, Indiana, and territory to be annexed being described as follows: All that territory bounded as follows: Commencing at the present corporation line of the city of Indianapolis, Marion county, Indiana, at the intersection of the center lines of North Meridian and Thirty-eighth street, thence running east in the center line of Thirty-eighth street to the center line of Delaware street in Center township; thence south in the center line of North Delaware street in Center township to a point one hundred and eighty-four and fifty-nine hundredths (184.59) feet

north of the north line of Thirty-fourth street; thence east on the north line of lots twenty-nine (29) and twenty-eight (28) in Washington Park to Central avenue; thence continuing east across Central avenue to a point one hundred and thirty-one (131) feet east of the east property line of Central avenue; thence south and one hundred and thirty-one (131) feet east of the east property line of Central avenue to the south bank of Fall Creek, the present corporation line of the city of Indianapolis, Marion county, Indiana. All of this said contiguous territory shall hereafter form a part of the said city of Indianapolis, Marion county, Indiana, and be within the jurisdiction of the same. And said territory is hereby consolidated with and made a part of the said city of Indianapolis, Marion county, Indiana.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Daily Reporter, a daily newspaper of general circulation printed and published in said city of Indianapolis, Marion county, Indiana.

Which was read a first time and referred to Committee on Ordinances.

MISCELLANEOUS BUSINESS.

Under this order of business G. O. No. 32, 1902, is herewith printed in full in its amended form, as provided in report of Committee on Judiciary.

G. O. No. 32, 1902: An ordinance providing for the appointment of an Inspector of Plumbing and House Drainage, prescribing his qualifications, powers, duties and salary, and providing for the appointment of a Board of Registration and Examination, prescribing the manner of licensing master plumbers, providing for license fees, prescribing the mode and manner of plumbing and house drainage in the city of Indianapolis; prescribing the penalties for the violation thereof and providing for the publication thereof, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Board of Health and Charities of the City of Indianapolis is hereby authorized, empowered and directed to appoint an Inspector of Plumbing and House Drainage, who shall be a practical plumber and residing in the city of Indianapolis, who shall be required to pass an examination as to his qualifications by a board of three practical plumbers engaged in the plumbing business and residing in the said city, said board to be selected by the Board of Health of said city.

Sec. 2. Said Inspector shall serve during the incumbency of the said Board of Health and Charities who made the appointment, or until his successor is appointed and qualified. The Mayor shall issue his certificate of appointment, and the person named therein shall take the oath of office to be endorsed on said appointment, to support the Constitution of the United States, the Constitution of the State of Indiana, and the City Charter of the city of Indianapolis, and to faithfully and impartially discharge the duties of his office to the best of his skill and ability. Which certificate and oath shall be filed with the City Clerk, who shall issue a certificate of same, reciting the fact and date

of appointment, taking of oath of office and filing same. Such appointee shall thereupon execute his bond to the city of Indianapolis to the approval of the Mayor, in the sum of one thousand dollars, with at least two freehold sureties, payable to the city of Indianapolis on condition of the faithful performance of all duties required of the incumbent of said office, which bond, after being so approved, shall be filed with the City Comptroller, who shall make a true copy thereof and file the same with the City Clerk; whereupon a commission shall be issued to the said Inspector of Plumbing and House Drainage, signed by such Mayor, and attested by the said Clerk, under the seal of the city.

Sec. 3. The salary of such Inspector shall be fifteen hundred dollars per year, payable quarterly out of the funds of the said city, at the same time and in the same manner that the elective officers of said city are paid.

Sec. 4. After taking effect of this ordinance any person, firm or corporation engaging in the business of plumbing in the city of Indianapolis, Indiana, as a master plumber, shall first obtain a license therefor as hereinafter provided.

Sec. 5. After the passage of this ordinance and the appointment of a Plumbing Inspector as provided for in section 1 of this ordinance, the Board of Health and Charities of the city of Indianapolis, is hereby authorized and empowered to and shall appoint a Board of Examiners for the examination and registration of master plumbers. Said board shall consist of two practical plumbers engaged in the business of plumbing in the city of Indianapolis, Indiana, and the regularly appointed Plumbing Inspector of said city. Said Board of Examiners shall serve during the incumbency of the said Board of Health and Charities who made the appointment, or until their successors are appointed and qualified. And said Board of Examination and Registration, exclusive of the Plumbing Inspector, whose salary is otherwise herein provided for, shall receive the sum of five dollars (\$5), each per year in full for all services rendered the city by them as members of said board.

Sec. 6. Said Board of Examiners shall, as soon as may be after their appointment, meet at such time and place as the Board of Health and Charities may designate, and at such other times as may be necessary, and proceed to carry out the provisions of this ordinance. Said board shall examine applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation, and if satisfied as to the competency of any such applicant, the board shall issue a certificate of such competency to such applicant, and the City Comptroller shall, upon the presentation of such certificate, issue a license to such person to engage in the business of plumbing in the city of Indianapolis. The fee for such examination, certificate and license shall be five dollars (\$5), and shall be paid at the time of the issuance of said license. All fees to be paid into the office of the City Comptroller. In case of a firm or combination of persons other than a corporation, engaging in the business of plumbing, each and every member of such firm or combination of persons shall pass such examination and be licensed as herein provided. In case of a corporation engaging in the plumbing business, the president and secretary of such corporation shall designate some particular person or persons, in a written notice to said Board of Health and Charities, who shall have charge of the plumbing business for such corporation, and such person or persons shall take the examination, and receive such license, and shall have exclusive direction of the plumbing business of such corporation. And such license shall state particularly the name of the corporation so represented by such person or persons.

Sec. 7. The Inspector of Plumbing is empowered to examine and inspect all plumbing within the city of Indianapolis, and whenever such plumbing shall be found defective, it shall be the duty of the owner or lessee of such building to place the same in a proper sanitary condition after reasonable notice from the Board of Health.

Sec. 8. The Inspector shall be notified when work is ready for inspection and test, and must examine and approve or reject all work within sixteen working hours from the time of such notification. All work shall be left uncovered for examination until the final test is made and the work approved by the Inspector, and the Inspector shall, as nearly as practicable, notify the plumber of the time when he will reach such job, at the time he is notified that such job is ready for inspection.

Sec. 9. The Plumbing Inspector shall be empowered to make such regulations as shall be necessary for the enforcement of this ordinance, provided such rules or regulations are approved by the Board of Health, and shall keep a recorded list of all licensed plumbers doing business in the city of Indianapolis, Indiana.

Sec. 10. Where additional fixtures are required or alterations are to be made, and not practicable to be constructed in accordance with the provisions of this ordinance, a special permit may be issued by the Inspector of Plumbing.

Sec. 11. It shall be unlawful for any person, firm or corporation to erect, construct or alter, or perform any labor at plumbing or house drainage, within the city of Indianapolis, without first having secured the proper permit provided for in this ordinance.

Sec. 12. Every plumber before doing any plumbing work in a building, except in case of repairs, which consist of leaks in drain, soil, waste and vent pipes, and repairs on faucets, valves and water supply pipes, shall file with the Inspector of Plumbing a statement showing the work to be performed, and no part of such work shall be executed until the Inspector of Plumbing has issued a permit authorizing same to be done.

Sec. 13.—Before any plumber shall receive a permit under the provisions of this ordinance, he or his firm or corporation shall execute a good and sufficient bond to the city of Indianapolis, with sureties to be approved by the proper official, in the penal sum of one thousand dollars, conditioned for the faithful performance of his of their duties according to the terms of this ordinance, and this bond shall be for the term of one year and shall be renewed annually.

All permits for plumbing or house¹ drainage shall be issued by the City Comptroller after approval by the Inspector of Plumbing.

The fee for issuing permits shall be according to the estimated cost or value of the improvement of plumbing or house draining at following rates:

A nominal fee of fifty (50) cents shall be charged for a permit for repairs when the cost shall not exceed seventy-five (\$75) dollars; one dollar and fifty cents (\$1.50) shall be charged for a permit on all work over seventy-five (\$75) dollars, but not to exceed two hundred (\$200) dollars; and fifty (50) cents for each additional one hundred (\$100) dollars or fractional part thereof. Said fees to be paid to the City Comptroller when the permit is issued.

Each permit shall state specifically the name of the applicant the address, number of the application and the date of issue.

Sec. 14. When additional fixtures are required after the permit is issued, and do not require an extra inspection, no fee shall be charged except where the additional fixture or fixtures brings the contract price above the limit for which the permit was issued, in which case an

extra amount must be paid, according to specifications in section 13, and where such additional fixture or fixtures require an additional inspection, an additional fee of fifty cents shall be charged for each subsequent inspection.

Sec. 15. Every dwelling house, hotel, apartment house, tenement house, factory, store or other building in which plumbing arrangements are to be placed, shall be connected with the city sewer when such sewer is provided, and when such sewer is not provided, then with a cesspool in a location to be approved by the Inspector of Plumbing.

Sec. 16. The plumbing and ventilation in every building shall be separate and independent from the roof to the outside of foundation walls. Provided, That private stables may be connected with the house drain.

Sec. 17. That portion of the house drain which is inside the walls and underneath the building, and three feet outside the area or foundation walls, shall be constructed of what is known to commerce as extra heavy cast-iron soil-pipe, and extra heavy fittings, the weight of the pipe to be as follows:

2-inch, 5 lbs. per foot.	7-inch, 26½ lbs. per foot.
3-inch, 9 lbs. per foot.	8-inch, 33 lbs. per foot.
4-inch, 12½ lbs. per foot.	10-inch, 44½ lbs. per foot.
5-inch, 16½ lbs. per foot.	12-inch, 53½ lbs. per foot.
6-inch, 19½ lbs. per foot.	

Fittings and pipe to be coated outside and inside with coal tar varnish, or oxidized by the Baur-Barff process, or any coating equally as good; they shall be securely ironed to the walls, laid in trenches of uniform grade, or suspended to the floor timbers by strong iron hangers, to be approved by the Inspector; in all cases a brass cleanout connection shall be placed in drain. Cleanouts at all angles near the exit of drain from building, and placed in an accessible location.

The end of all drains, or branch drains, shall be provided with a brass cleanout connection, of a size not less than the diameter of the pipe which it serves, and placed in an accessible position.

Drain and soil-pipes shall have a uniform fall of not less than one-quarter of one inch per foot, towards the sewer or cesspool; when such grade cannot be obtained, a special permit may be obtained from the Inspector of Plumbing for a less fall per foot.

Sec. 18. No privy or cesspool shall be connected with the sewer or house drain. A running trap, provided with a fresh air inlet and an accessible brass cleanout connection, may be inserted into the house drain, inside or outside of the foundation wall, and as near the said wall as practicable. The fresh air inlet shall be not less than two (2) inches internal diameter, connected to the drain on the house side of the trap, and not more than eight (8) feet nor less than four (4) feet from the running trap, and extending to the external air.

Sec. 19. All drains shall be run as direct as practicable. Changes in direction shall be made with regular fittings, and connections shall be made with Ys, sanitary tees, and one-eighth bends.

Sec. 20. Soil-pipes receiving the discharge from one or more water-closets shall be of extra heavy cast-iron soil-pipe, the same as specified for drains, and not less than four inches in internal diameter, and continuing of undiminished size to the highest roof of the building, above and away from any opening or window, and left open at the top, and to extend at least twelve (12) inches above the roof, and flashing of sheet lead not less than four (4) pounds to the square foot to be provided and properly attached where the pipe passes through the roof.

Sec. 21. No waste-pipes shall be less than one and one-quarter ($1\frac{1}{4}$) inch for one fixture, and not less than one and one-half ($1\frac{1}{2}$) inch for two fixtures, and not to exceed four fixtures.

Sec. 22. Lead waste and vent pipes shall not be of less weight than the grade known as "Light."

Sec. 23. In no case shall the waste-pipe from another fixture connect to the house side or in the seal of a water-closet trap. Such connection shall be made independently of such trap.

Sec. 24. No refrigerator or other receptacles in which provisions are stored shall be connected with a drain, soil or vent-pipe, or discharge upon the ground beneath the building, but in every case there shall be an open drip tray beneath the refrigerator. The waste must discharge into a sink or other fixture and be provided with a flap valve on discharge end.

Sec. 25. Vent-pipes shall not be less than one and one-quarter ($1\frac{1}{4}$) inch for twenty (20) feet; one and one-half ($1\frac{1}{2}$) inch for fifteen additional feet; two (2) inches for forty (40) additional feet; and three (3) inches for sixty (60) additional feet.

Where two (2) fixtures connect into one vent, such vent shall not be less than one and one-half ($1\frac{1}{2}$) inch pipe; where three or more fixtures connect such connection to be not less than two (2) inch pipe; but air-pipes for water-closet traps shall not be less than two (2) inch bore for forty (40) feet or less, and of not less than three (3) inch for sixty (60) feet or less; there shall be no more than twelve (12) water-closet vent openings connected into two (2) inch vent-pipe.

Sec. 26. Vent-pipes shall be run straight and as direct as practicable and with a grade to avoid trapping or condensation.

Sec. 27. Vent-pipes may be run through the roof separately, or connected into the main soil-pipe before it passes through the roof, provided that in every such case the soil-pipe and vent-pipe shall be increased two (2) inches in diameter before passing through the roof.

Sec. 28. No steam, exhaust, blow-off, or drip-pipes shall be connected with a sewer or with any drain, soil or waste-pipe, vent-pipe or rain-water pipe, when within any building, but must discharge into an open tank or condenser from which a perfect connection to the sewer or house drain may be provided.

Sec. 29. All joints in cast-iron pipe shall be packed with picked oakum and run with molten lead, well caulked.

Sec. 30. Connections of lead pipe with those of iron shall be made with brass or combination ferrules or brass solder nipples of a size not less than the lead pipe, with properly wiped joints and caulked or screwed to the iron pipe.

Sec. 31. Every sink, bathtub, basin, water-closet, urinal, washtray, or set of washtrays, and every fixture having a waste-pipe shall be separately and independently trapped with a water-sealing trap placed as near the fixture as practicable. Traps shall be protected from siphonage and aid pressure by an air, or vent-pipe, and of a size not less than the waste-pipe up to and including two (2) inch. Over two (2) inch, and not exceeding four (4) inch, not less than two (2) inch vents shall be used.

Sec. 32. Vent-pipes shall be either lead, galvanized wrought or cast-iron.

Sec. 33. Traps must be placed above floors or in accessible locations.

Sec. 34. No traps shall be placed at the foot of a vertical soil or waste-pipe.

Sec. 35. Rainwater leaders within the building shall be of wrought-iron, or extra heavy cast-iron pipes where connected with drain, waste or soil-pipes, and shall be suitably trapped.

Sec. 36. Safe-pipes, drips or overflow pipes from tanks or cisterns shall be run to some place in open sight and provided with a flap-valve on lower end, and in no case shall any such pipe connect with drain, soil, waste, vent-pipes or rainwater leader.

Sec. 37. Every water-closet shall be supplied with water from a tank or cistern and the flush-pipe shall not be less than one and one-quarter inches in diameter.

Sec. 38. No person shall place in any building a plunger or pan water-closet, and when such kind of closet is removed for repairs or other causes it shall not be replaced.

Sec. 39. The use of wooden washtrays or sinks is strictly prohibited. They shall be of nonabsorbant material. Provided that wooden sinks may be lined with sheet lead or sheet copper.

Sec. 40. A grease-trap shall be constructed under the sink of every hotel, restaurant, eating-house, or boarding-house or other public cooking establishment, to the satisfaction of the Inspector.

Sec. 41. The use of mercury vents or so-called "anti-siphon" traps shall not be allowed except by permission of the Inspector.

Sec. 42. Nothing herein contained shall prevent the use of wrought-iron, soil or waste-pipe, with the proper fittings, coated outside and inside as provided for under cast-iron pipe.

TEST.

Sec. 43. The whole system of drain, waste, soil and ventilation pipes shall be made tight and tested with water or an air pressure of not less than ten (10) pounds per square inch, and to stand not less than fifteen (15) minutes without a drop. This test to be made by the plumber in the presence of the Inspector, and in all cases where only a part of the system has been tested at one time, the Inspector shall require an additional test of the whole system, and it shall be absolutely tight.

Sec. 44. Any plumber who shall feel himself aggrieved by a decision of the Inspector on any work which has been inspected, shall have the right of appeal to the Board of Public Works of said city; and the decision of said Board of Public Works shall be final.

Sec. 45. Any person violating any of the provisions of this ordinance where no special penalty has been provided, shall upon conviction thereof, be fined in any sum not exceeding one hundred dollars.

Sec. 46. All existing ordinances and regulations or parts thereof inconsistent with this ordinance, are hereby repealed.

Sec. 47. This ordinance shall take effect and be in force sixty (60) days after its passage and publication one day each week for two consecutive weeks in the Indianapolis Daily Reporter, a daily newspaper of general circulation, printed and published in said city of Indianapolis.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following ordinance was taken up and read a second time:

App. O. No. 11: An ordinance relating to the founding and maintenance of a hospital for persons suffering from incurable diseases, by the Indianapolis Flower Mission and city of Indianapolis and creating a trust.

On motion of Mr. Wynne, App. O. No. 11, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, none.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 13, 1902: An ordinance appropriating the sum of seven hundred and fifty dollars for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 13, 1902, was then ordered engrossed, read a third time, and failed to pass for want of a constitutional majority, by the following vote:

Ayes, 9, viz.: Messrs. Crall, Eppert, McFarland, Negley, Rhodes, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 9, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Sourbier, Wahl, Warweg and Wolsiffer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 7, 1902: An ordinance authorizing the Board of Public Works of the city of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred (\$13,500) dollars for such purpose, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 7, 1902, was then ordered engrossed, read a third time, and failed to pass for want of a constitutional majority, by the following vote:

Ayes, 9, viz.: Messrs. Crall, Eppert, McFarland, Negley, Rhodes, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 9, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Sourbier, Wahl, Warweg and Wolsiffer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 33, 1902: An ordinance approving a certain contract granting Buddenbaum and Heller the right to lay and maintain a switch or side-track across Fletcher avenue in the city of Indianapolis, Indiana.

On motion of Mr. Wynne, G. O. No. 33, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes, 1, viz.: Mr. Wahl.

On motion of Mr. Kelly, the following entitled ordinance was taken up and read a second time.

G. O. No. 34, 1902: An ordinance making it unlawful to accost any female by words or actions under certain circumstances, prohibiting the habitual standing in certain public places, and providing penalties for the violation of the same.

On motion of Mr. Kelly, G. O. No. 34, 1902, was then ordered engrossed, read a third time, and failed to pass for want of a constitutional majority, by the following vote:

Ayes, 10, viz.: Messrs. Berry, Kelly, Meyer, Shea, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Noes, 7, viz.: Messrs. Crall, Eppert, Moriarity, Negley, Rhodes, Sourbier and President Haldeman.

On motion of Mr. Moriarity, the Common Council, at 8:40 o'clock, p. m., adjourned.

A. M. Haldeman

President.

ATTEST:

Charles H. Elliott

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, June 9, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 9, 1902, at 7:30 o'clock, in special session.

The President and Vice-President being absent, Mr. Charles N. Elliott, City Clerk, called the meeting to order. The roll was called, with the following result:

Present, 15, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 6, viz.: Messrs. Billingsley, Cooper, Moriarity, Rhodes, Wahl and President Haldeman.

The City Clerk stated the first business in order to be the election of a presiding officer *pro tem*.

Whereupon Mr. Eppert placed in nomination Mr. John H. Crall. There being no further nominations, City Clerk Elliott cast the unanimous vote of the body for Mr. Crall, and declared him duly elected President *pro tem*. of the Common Council.

Mr. Crall took the chair and ordered that the call for the special meeting be read.

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, June 6, 1902.

To the City Clerk, President and Members of the Common Council,
City of Indianapolis, Ind.:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Ind., under Section 45 of the City Charter of said city, a special meeting of the

Common Council of said city is hereby called to meet at the hour of 7:30 p. m., on June 9, 1902, in the council chamber in said city, for the purpose of introducing, considering and taking action on:

An ordinance appropriating \$13,500 for the purpose of erecting a pest-house for the city of Indianapolis, Ind.;

An ordinance appropriating the sum of seven hundred and fifty dollars for the use of the Department of Public Health and Charities; and

An ordinance appropriating money to the Contagious Disease Fund of the Department of Public Health and Charities.

And the City Clerk is hereby directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service at said special meeting.

CHARLES A. BOOKWALTER,
Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, June 9, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith recommend the passage of an ordinance appropriating the sum of \$13,500 for the use of the Department of Public Works in the purchase of suitable grounds and the erection thereon of buildings to be used as smallpox hospitals and detention pavilions.

I call your attention to the communication of the Board of Public Works submitted to your honorable body, at your meeting held on March 17, 1902, page 189.

Respectfully,
GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, June 9, 1902.

To the President and Members of the Common Council:

Gentlemen—I respectfully call your attention to the communication from the Department of Public Health and Charities submitted to your

honorable body May 5, 1902 (see proceedings, page 283), requesting an appropriation of \$750 for the purpose of enabling said department to more successfully enforce the laws, rules and regulations in regard to the sale of milk.

Believing that said department should be given this additional assistance, I recommend that an ordinance be passed appropriating the sum asked for.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, June 9, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith transmit a communication from the Department of Public Health and Charities requesting an additional appropriation of \$2,000 with which to fight smallpox.

I recommend that an ordinance be passed appropriating the amount asked for.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,
Office of the Board.
INDIANAPOLIS, June 6, 1902.

To the Honorable Comptroller, City of Indianapolis:

Dear Sir—I have the honor to inform you that the appropriation of two thousand (\$2,000) dollars for contagious diseases is nearly exhausted. We still have a number of outstanding bills which must be paid, and when paid will diminish the appropriation to such an extent, that there will not be sufficient money left to care for the smallpox which still exists in our midst. Last month there were fifty-eight new cases of smallpox, making a total of three-hundred and two (302) cases since the first of the year. Kindly take the necessary steps to increase the fund an additional two thousand (\$2,000) dollars. Accompanying this request is an itemized statement of the moneys expended since the last two appropriations.

Very truly yours,

EUGENE BUEHLER,
Sec'y Board of Health.

Which was read and referred to Committee on Finance.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Wynne:

App. O. No. 16, 1902: An ordinance authorizing the Board of Public Works of the city of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred (\$13,500) dollars for such purpose, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the Board of Public Works of the city of Indianapolis be, and is hereby, authorized to purchase suitable real estate for such purpose, located not less than three-quarters of a mile from the city limits, and to construct thereon a building to be known as the smallpox hospital, and an additional building to be called a detention pavilion, for detaining and treating persons afflicted, or thought to be afflicted, with smallpox or other contagious diseases. All said property to be for the use of the Board of Public Health in protecting the health of the citizens against smallpox and other contagious diseases, and caring for and treating persons afflicted therewith.

Sec. 2. That to pay the cost of purchasing said real estate and constructing said buildings, the sum of thirteen thousand five hundred (\$13,500) dollars be and is hereby appropriated out of the funds of the city treasury, not otherwise appropriated, or so much thereof as is necessary for such purpose.

Sec. 3. Said ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 17, 1902: An ordinance appropriating the sum of seven hundred and fifty dollars for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That there be and is hereby appropriated for the use of the Department of Public Health and Charities the sum of seven hundred and fifty dollars, such sum to be apportioned as follows, viz.:

Salary account	\$400.00
Horse board account	100.00
Incidental account (for purchase of horses).....	250.00

\$750.00

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 18, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

Sectoin 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That there be and is hereby appropriated for the use of the Department of Public Health and Charities, to be credited to to the fund known as "Contagious Disease Fund," the sum of two thousand (\$2,000) dollars.

Sec. 2. An emergency existing for the immediate taking effect of this ordinance, the same shall be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

On motion of Mr. Wynne the Common Council, at 8:10 o'clock, p. m., adjourned.


President Pro Tem.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, June 16, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 16, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 16 members, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wynne and Wysong.

Absent, 4, viz.: Messrs. Cooper, Meyer, Wahl and Wolf-siffer.

The Clerk proceeded to read the Journal, whereupon Councilman McFarland moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATION FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, June 9, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 33, 1902: "An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or side-track across Fletcher avenue, in the city of Indianapolis, Indiana."

App. O. No. 11, 1902: "An ordinance relating to the founding and maintenance of a hospital for persons suffering from incurable diseases, by the Indianapolis Flower Mission and City of Indianapolis, and creating a trust."

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of the City Comptroller,
INDIANAPOLIS, February 1, 1902.

To the President and Members of the Common Council:

Gentlemen—Pursuant to the provisions of Section 54 of the City Charter I herewith submit a report of the accounts of the city for the fiscal year ending December 31, 1901, exhibiting the revenues, receipts and expenditures, the sources from which the revenues and funds are derived.

Your attention is directed to the following tables showing receipts and disbursements:

The permanent bonded debt of the city on January 1, 1901, was \$2,135,700. In this was included \$101,200 assumed by annexation of suburban towns. During the year serial bonds aggregating the sum of \$338,000 were issued; of this amount \$143,000 were designated as Fire Department and City Hospital Bonds of 1901, and \$195,000 as Emergency Bonds of 1901. \$24,000 of the city debt proper and \$3,100 of the annexation debt matured and was paid, leaving total bonded debt of the city on January 1, 1902, \$2,446,600. Of this amount \$584,000 bears 3½ per cent. interest; \$1,764,500 bears 4 per cent. interest; \$12,800 bears 5 per cent. interest, and \$85,300 bears 6 per cent. interest. The bonds bearing interest in excess of 4 per cent. are bonds assumed by reason of annexations.

On January 1, 1901, temporary loans to the amount of \$147,000 were outstanding, which became due and were paid, with interest, in May. In February a temporary loan of \$40,000 was made, which was paid, with interest, in June. During the months of August and September temporary loans aggregating \$195,000 were made, which became due and were paid, with interest, on December 2. The several issues of temporary loans herein mentioned were paid out of the general revenues of the city. In order to pay current expenses it became necessary to replace in the treasury the amount taken therefrom by the payment of the \$195,000 temporary loans, which was done by the issuance of the Emergency Bonds hereinbefore mentioned.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

TABLE No. 1.

Synopsis of Receipts and Expenditures, 1901.

GENERAL FUND.

Cash available January 1, 1901.....		\$29,668 56
Received from taxes	\$876,667 44	
Received from sundry sources. . . .	291,300 94	
Total ordinary receipts.....		\$1,167,968 38
Received from—		
Emergency bonds and premium.....	\$196,833 00	
Temporary loans and premium.....	235,053 00	
Water rates refunded	4,697 31	
Total extraordinary receipts....		\$436,583 31
Total receipts, 1901.....		\$1,604,551 69
Total to be accounted for		\$1,634,220 25
Paid current expenses.....	\$1,129,294 94	
Paid permanent improvements.....	63,935 04	
Total ordinary expenditures... ..		\$1,193,229 98
Paid redemption of bonds	\$27,100 00	
Paid redemption of temporary loans and interest.....	385,399 74	
Special election, Fifteenth Ward..	509 42	
Total extraordinary expendi- tures.....		413,009 16
Total expenditures.....		\$1,606,239 14
Available cash, General Fund, Jan- uary 1, 1902.....		\$27,981 11

SPECIAL FUND.

Received from sale of \$143,000.00 Fire Department and City Hospi- tal bonds and premium	\$144,765 00	
Paid permanent improvements.....	79,454 72	
Cash balance available January, 1, 1902.....		\$65,310 28

TABLE No. 2.

Current Receipts, 1901.

FEES.		
City Civil Engineer.....	\$4,010	82
City Comptroller.....	4,580	25
East Market.....	1,876	35
Pay patients, City Hospital.....	1,425	00
South Side Market.....	438	65
		\$12,331 07
LICENSE.		
Auction.....	\$260	00
Dray.....	10	00
Dog.....	5,744	00
Express.....	168	00
Exhibition.....	1,135	00
Hack.....	71	00
Hotel solicitor.....	65	00
Huckster.....	3,516	00
Liquor.....	131,250	00
Pawnbroker.....	1,600	00
Peddler.....	387	00
Riding gallery.....	60	00
Shooting gallery.....	25	00
Secondhand and junk.....	1,143	50
Vehicle.....	46,202	75
		\$191,637 25
MISCELLANEOUS.		
Brightwood Waterworks.....	\$2,059	38
Cleaning private sewers.....	10	50
Cutting weeds.....	352	50
Franchises—Central Union Telephone Co....	6,000	00
New Telephone Co.....	6,000	00
Indianapolis Clean Street Co....	44	94
Indianapolis Light and Power Co	15,754	38
Indianapolis Street Railway Co.	30,000	00
Fines and fees, City Court.....	2,669	50
Fire force.....	1,078	35
Haughville hall rent.....	535	75
Market leases.....	17,177	39
Parks—Sale of gravel, privileges, etc.....	704	00
Sale of old office fixtures, material, etc....	109	00
Sellers Farm rent.....	500	00
Street and alley openings and vacation bene- fits.....	2,935	85
Taxes.....	876,667	44
Tomlinson hall rent.....	1,378	03
Warrants covered back into General Fund...	23	05
		\$964,000 06
Total current receipts.....		
		\$1,167,968 38
EXTRAORDINARY RECEIPTS.		
Emergency bonds and premiums.....	\$196,833	00
Fire Department and City Hospital bonds and premiums.....	144,765	00
Temporary loans and premiums.....	235,053	00
Water rates refunded.....	4,697	31
		\$581,348 31
Total receipts.....		
		\$1,749,316 69

TABLE No. 3.

Appropriations, Expenditures and Balances, 1901.

FUND.	Appropriations.	Expenditures.	Balance.
FINANCE DEPARTMENT.			
Assessment of city property	\$2,500 00	\$2,500 00	.....
Books, stationery and supplies ...	1,500 00	1,499 92	\$0 08
Election expenses.....	11,875 00	11,870 78	4 22
Haughville school bond No. 10. . .	1,000 00	1,000 00	.....
Improvement bonds of 1896, 51 to 60 inclusive.....	10,000 00	10,000 00	.....
Mt. Jackson school bond	100 00	100 00	.....
Special Police Judge.....	150 00	135 00	15 00
Liquor license rebates	348 68	348 68	.....
Interest and exchange—			
City bonded indebtedness.....	86,110 06	86,097 38	12 68
Brightwood bonded indebt's ...	840 00	840 00	.....
Haughville bonded indebt's....	700 00	700 00	.....
Mt. Jackson bonded indebt's....	24 00	24 00	.....
West Indpls. bonded indebt's... .	4,500 00	4,500 00	.....
West Indianapolis school bonds... .	2,000 00	2,000 00	.....
Memorial Day.....	200 00	175 69	24 31
Special election, Fifteenth Ward....	510 92	509 42	1 50
Temporary loans and interest....	385,399 74	385,399 74	.....
Fire Department and City Hospital bonds of 1901, 1 to 14 incl.	14,000 00	14,000 00	.....
Miscellaneous expense city offices.	3,000 00	2,999 19	81
Salaries	55,460 23	55,460 23	.....
Totals.	\$580,218 63	\$580,160 03	\$58 60
LAW DEPARTMENT.			
Change of venue cases.....	\$500 00	\$448 00	\$52 00
J'dgm'ts, compromises and costs . .	8,000 00	7,981 19	18 81
Office rent and expenses.....	240 00	239 50	50
Transcripts, printing of briefs and stationery.	400 00	317 57	82 43
Totals.....	\$9,140 00	\$8,986 26	\$153 74
DEPARTMENT OF PUBLIC PARKS.			
Improvements:—			
Brookside	\$6,000 00	\$5,719 20	\$280 80
Hendricks, Fletcher and Oriole.	300 00	300 00	.....
Highland Place	500 00	493 69	6 31
Garfield.....	2,000 00	2,000 00	.....
Spades Place and Elmwood... .	1,500 00	1,500 00	.....
Riverside.....	29,500 00	29,482 52	17 48
Maintenance:—			
Fletcher and 11th Street.....	1,870 00	1,843 84	26 16
Greenlawn	2,565 00	2,565 00	.....
Brookside.....	6,000 00	5,994 80	5 20
Garfield	10,900 00	10,898 08	1 92
Hendricks, Fletcher and Oriole.	850 00	849 30	70
Highland Square.....	1,500 00	1,375 23	124 77
Indianola Square	1,500 00	1,496 94	3 06
Military	3,320 00	3,319 65	35
McCarty Place.....	350 00	348 21	1 79
Riverside.....	19,000 00	18,974 96	25 04
Morris.....	700 00	699 52	48
Morton.....	850 00	850 00	.....

TABLE No. 3—Continued.

FUND.	Appropriations.	Expenditures.	Balance.
DEPARTMENT OF PUBLIC PARKS,			
Maintenance— <i>Continued.</i>			
Spades Place and Elmwood....	\$1,000 00	\$977 94	\$22 06
St. Clair Square and Wayne tri.	1,150 00	1,149 50	50
University Square.....	1,540 00	1,523 42	16 58
Salaries, office expenses and supplies.....	7,530 00	7,153 48	376 52
New Parks, purchase real estate..	265 38	.....	265 38
Miscellaneous receipts fund....	2,067 01	1,432 00	635 01
Totals.....	\$102,757 39	\$100,947 28	\$1,810 11
BOARD OF PUBLIC WORKS.			
Assessments, erroneous.....	\$250 00	\$247 00	\$2 33
Assessments, payment of.....	500 00	442 67	57 33
Assessment roll, clerk's salaries..	5,100 00	5,082 67	17 33
Blank books, printing and stationery.....	3,500 00	3,411 48	88 52
Bridges.....	26,724 57	24,198 24	2,526 33
Bridge gang, pay roll.....	5,700 00	5,563 19	136 81
Brightwood Waterworks.....	3,000 00	3,000 00	.....
City Civil Engineer, accounts..	1,500 00	1,499 10	90
City Civil Engineer, salaries.....	26,400 00	26,303 29	96 71
City hall, accounts.....	4,300 00	4,298 36	1 64
City hall, janitors.....	1,800 00	1,800 00	.....
Electric lights.....	110,000 00	106,133 60	3,866 40
Fountains and wells.....	800 00	708 57	91 43
Furniture and fixtures.....	250 00	240 93	9 07
Garbage collection and delivery of	31,800 00	30,895 00	905 00
Garbage and night-soil disposal and Sellers farm.....	10,900 00	10,900 00	.....
Gaslights.....	2,500 00	2,438 57	61 43
Incidental expenses.....	250 00	247 13	2 87
Indianapolis Street Railway Co.,			
Emergency Repair Fund.....	1,000 00	.....	1,000 00
Payment of city's benefits.....	1,500 00	720 25	779 75
Payment of appraisers for street, alley and sidewalk improvements.....	1,500 00	1,237 50	262 50
Public buildings and repairs.....	2,000 00	1,805 91	194 09
Sewers.....	1,500 00	644 94	855 06
Sprinkling unimproved streets....	42,200 00	41,639 23	560 77
Sewer gang, pay roll.....	10,000 00	9,956 90	43 10
Sweeping and cleaning improved streets.....	57,000 00	55,938 49	1,061 51
Street maintenance and repairs of, including pay roll..	24,000 00	21,277 46	2,722 54
Street repairing, permanently improved.....	26,500 00	26,488 93	11 07
Street openings and vacations..	200 00	126 65	73 35
Street repair accounts.....	6,000 00	5,918 74	81 26
Telephones.....	440 00	305 00	135 00
Tomlinson Hall, accounts.....	2,000 00	1,994 63	5 37
Tomlinson Hall, janitors.....	2,500 00	2,368 50	131 50
Vapor lights.....	4,800 00	4,700 78	99 22
Water.....	90,000 00	90,000 00	.....
Totals.....	\$508,414 57	\$492,534 38	\$15,880 19

TABLE No. 3—Continued.

FUND.	Appropriations.	Expenditures.	Balance.
BOARD OF PUBLIC SAFETY.			
<i>Board's Office.</i>			
Incidental expenses	\$500 00	\$495 26	\$4 74
Printing and stationery	200 00	177 58	22 42
<i>East Market.</i>			
Cleaning buildings and grounds ..	1,000 00	900 00	100 00
Current expenses	200 00	199 26	74
Gas and electricity	3,500 00	3,427 90	72 10
Printing and stationery	30 00	4 50	25 50
Repairs to buildings	400 00	383 39	16 61
Salaries	4,200 00	4,094 05	105 95
<i>South Side Market.</i>			
Current expenses	100 00	65 50	34 50
Fuel	300 00	83 37	216 63
Gas and electricity	350 00	117 00	233 00
Repairs to buildings	100 00	31 00	69 00
Salaries	1,420 00	900 00	520 00
<i>Fire Force.</i>			
Fire Alarm Telegraph Dep't	2,000 00	1,997 51	2 49
Fuel, gas and coal	3,000 00	2,017 67	982 33
Furniture	1,250 00	1,247 08	2 92
Harness and repairs	1,000 00	928 75	71 25
Horse feed	7,200 00	7,197 33	2 67
Horses, purchase of new	3,000 00	3,000 00	
Horseshoeing	2,500 00	2,063 50	436 50
Hose, purchase of	13,000 00	12,960 93	39 07
Illuminating gas	1,000 00	748 55	251 45
Miscellaneous supplies	2,150 00	2,124 58	25 42
New apparatus	1,500 00	1,301 76	198 24
Printing and stationery	150 00	99 75	50 25
Repairs to apparatus	3,000 00	2,971 34	28 66
Repairs to buildings	6,500 00	6,494 73	5 27
Repairs to cisterns	400 00	42 48	357 52
Pay roll, fire force	156,306 25	151,740 31	4,565 94
Soda and acids	500 00	300 98	199 02
Telephone service	1,000 00	1,000 00	
<i>Station House.</i>			
Building repairs	1,500 00	893 31	606 69
Bicycles and repairs	300 00	185 68	114 32
Cow, pounds	100 00	72 00	28 00
Electrical department	1,000 00	974 57	25 43
Emergency police service	500 00	499 50	50
Fuel, gas and coal	1,300 00	816 09	483 91
Gas and electric light	1,700 00	1,279 85	420 15
Horse feed	700 00	594 68	105 32
Horses, purchase of new	600 00	598 00	2 00
Incidental expenses	2,000 00	1,876 17	123 83
Police Force, pay roll	151,251 00	150,152 06	1,098 94
Prisoners' meals	1,500 00	1,175 00	325 00
Secret service	400 00	260 21	139 79
Telephone service	800 00	800 00	
Wagons and repairs	200 00	164 35	35 65
Totals	\$381,607 25	\$369,457 53	\$12,149 72

TABLE No. 3—Continued.

FUND.	Appropriations.	Expenditures.	Balance.
CITY DISPENSARY.			
Drugs.....	\$1,600 00	\$1,598 17	\$1 83
Dry goods.....	600 00	212 05	387 95
Gas.....	20 00	12 00	8 00
Groceries.....	40 00	30 55	9 45
Incidentals.....	325 00	321 73	3 27
Laundering.....	70 00	52 00	18 00
Printing and stationery.....	120 00	106 15	13 85
Surgical supplies.....	200 00	198 22	1 78
Telephone service.....	50 00	34 50	15 50
Transportation (bicycle repairs)..	120 00	86 50	33 50
Salaries.....	3,579 80	3,575 66	4 14
CITY HOSPITAL.			
Drugs.....	1,800 00	1,799 43	57
Dry goods.....	1,600 00	1,600 00	
Electrical supplies.....	100 00	72 04	27 96
Engine-room supplies.....	225 00	222 25	2 75
Furniture.....	300 00	295 22	4 78
Fuel.....	5,350 00	1,673 04	3,676 96
Gas, artificial.....	200 00	196 60	3 40
Hardware.....	150 00	149 19	81
Horseshoeing.....	75 00	73 00	2 00
Incidentals.....	600 00	544 31	55 69
Laundry supplies.....	325 00	320 32	4 68
Paints and painting.....	300 00	274 03	25 97
Nursing.....	1,960 00	1,960 00	
Plumbing supplies.....	300 00	300 00	
Printing and stationery.....	150 00	150 00	
Provisions.....	10,800 00	10,799 32	68
Queensware.....	250 00	250 00	
Repairs.....	500 00	491 77	8 23
Salaries.....	9,113 25	9,112 04	1 21
Stable supplies.....	275 00	269 79	5 21
Surgical supplies.....	1,200 00	1,195 50	4 50
Telephone service.....	52 00	24 08	27 92
Water.....	400 00	400 00	
BOARD OF HEALTH.			
Ambulance and driver.....	1,200 00	724 14	475 86
Cutting weeds.....	400 00	211 02	188 98
Horse board.....	360 00	327 75	32 25
Incidentals.....	300 00	206 92	93 08
Laboratory.....	500 00	495 19	4 81
Printing and stationery.....	300 00	294 50	5 50
Prevention of contagious diseases.	7,200 00	7,194 68	5 32
Public charity.....	600 00	600 00	
Salaries.....	5,748 50	5,665 50	83 00
Telephone service.....	50 00	34 50	15 50
Totals.....	\$59,408 55	\$54,153 66	\$5,254 89

TABLE No. 3—Continued.

Special Fund—Fire Department and City Hospital Bonds.

FUND.	Appropriations.	Expenditures.	Balance.
BOARD OF PUBLIC WORKS.			
Erection of 3 new engine houses	\$18,000 00	\$14,032 60	\$3,967 40
Remodeling headquarters	3,500 00	3,500 00	.....
Remodeling of engine houses	3,000 00	2,919 10	80 90
Purchase of real estate for engine houses	1,750 00	1,703 40	46 60
Erection of wing to main building, City Hospital.	19,460 00	13,094 43	6,365 57
Steam heating apparatus	4,174 00	1,999 36	2,174 64
Plumbing, gas fitting and electric wiring	2,222 00	1,816 08	405 92
Repairs to elevator	500 00	.....	500 00
Miscellaneous repairs.	700 00	.....	700 00
Two new 80-H. P. boilers	1,250 00	1,160 00	90 00
Masonry in engine room	250 00	250 00	.....
One 600-light engine dynamo	2,000 00	61 38	1,938 62
BOARD OF PUBLIC SAFETY— FIRE FORCE.			
Fire alarm system.	65,000 00	19,194 67	45,805 33
Two new engines	10,500 00	10,500 00	.....
One aerial truck.	3,500 00	3,500 00	.....
Two service trucks	3,000 00	2,700 00	300 00
One fuel wagon	250 00	.....	250 00
One tool wagon.	300 00	.....	300 00
One combination chemical truck and hose wagon	3,000 00	1,900 00	1,100 00
Three hose wagons	825 00	825 00	.....
DEPARTMENT OF FINANCE.			
Expense of bond issue	1,584 00	298 70	1,285 30
Totals.	\$144,765 00	\$79,454 72	\$65,310 28

RECAPITULATION.

Total amount realized on bond issue	\$144,765 00
Total amount expended	79,454 72
Total available cash January 1, 1902.	\$65,310 28

TABLE No. 3—Continued.

TOTALS—GENERAL FUND.

DEPARTMENTS.	Appropriation.	Expended.	Balance.
Finance	\$580 218 63	\$580,160 03	\$58 60
Law	9,140 00	8,986 26	153 74
Public Works	508,414 57	492,534 38	15,880 19
Public Parks	102,757 39	100,947 28	1,810 11
Public Safety	381,607 25	369,457 53	12,149 72
Public Health and Charities	59,408 55	54,153 66	5,254 89
Totals	\$1,641,546 39	\$1,606,239 14	\$35,307 25

TOTALS—SPECIAL FUND.

DEPARTMENTS.	Appropriation.	Expended.	Balance.
Finance	\$1,584 00	\$298 70	\$1,285 30
Public Works	56,806 00	40,536 35	16,269 65
Public Safety	86,375 00	38,619 67	47,755 33
Totals	\$144,765 00	\$79,454 72	\$65,310 28

RECAPITULATION.

Amount of warrants outstanding January 1, 1901	\$57,837 93
Amount of warrants issued Jan'y 1, 1901, to Dec. 31, 1901 ..	1,685,693 86
Total	\$1,743,531 79
Amount of warrants redeemed	1,681,596 43
Amount of warrants outstanding December 31, 1901	\$61,935 36
Cash on hand December 31, 1901	\$155,226 75
Warrants outstanding	61,935 36
Cash available	\$93,291 39
Balance Fire Department and City Hospital bonds	\$65,310 28
Actual cash available General Fund, January 1, 1902 ..	\$27,981 11

TABLE No. 4.

Statement of Expenditures, 1901.

	Current Expenses, Including Salaries.	Extraordi- nary Dis- bursements	Expendi- tures in Per- manent Im- provements	Totals.
DEPARTMENT OF FINANCE.				
Redemption of bonds.....		\$27,100 00		
Redemption of temporary loans and interest.....		385,399 74		
Interest and exchange.....	\$92,161 38			
Special election, Fifteenth Ward.....		509 42		
Assessing.....	2,500 00			
Miscellaneous.....	5,158 48			
Elections.....	11,870 78			
Salaries.....	32,440 23			\$557,140 08
DEPARTMENT OF PUBLIC WORKS				
Expenditures (see Table No. 3)...	469,526 94		\$23,007 44	
Salaries.....	7,920 00			500,454 38
DEPARTMENT OF PUBLIC PARKS				
Improvements.....			40,927 60	
Maintenance.....	52,866 20			
Office expense.....	2,353 48			
Salaries.....	4,800 00			100,947 28
DEPARTMENT OF PUBLIC SAFETY.				
Salaries and office expense.....	5,472 84			
Fire Force.....	198,237 25			
Police Force.....	160,341 47			
East Market.....	9,009 10			
South Side Market.....	1,196 87			\$74,257 53
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Salaries.....	8,765 50			
Contagious Diseases.....	7,194 68			
Board of Health—office expense.....	2,894 02			
City Hospital.....	32,171 93			
City Dispensary.....	6,227 53			57,253 66
DEPARTMENT OF LAW.				
Salaries and office expense.....	7,439 50			
Expenditures (see Table No. 3)...	8,746 76			16,186 26
Totals.....	\$1,129,294 94	\$413,009 16	\$63,935 04	\$1,606,239 14

STATEMENT OF EXPENDITURES—SPECIAL FUND.

Department of Finance.....	\$298 70
Department of Public Works.....	40,536 35
Department of Public Safety.....	38,619 67
Total.....	\$79,454 72

TABLE No. 5.

Statement of Expenditures, 1900.

	Current Expenses, Including Salaries.	Extraordi- nary Dis- bursements	Expendi- tures in Per- manent Im- provements	Totals.
FINANCE DEPARTMENT.				
Redemption of bonds.....		\$17,100 00		
Redemption of temporary loans and interest.....		178,955 86		
Interest and exchange.....	\$86,775 64			
Assessing	2,500 00			
Salaries	31,823 63			
Miscellaneous.....	6,149 86			\$323,304 99
DEPARTMENT OF PUBLIC WORKS				
Expenditures.....	430,510 89		\$126,877 30	
Salaries.....	7,912 00			565,300 19
DEPARTMENT OF PUBLIC PARKS				
Improvements			54,392 17	
Maintenance	41,269 08		5,475 83	
Office expense.....	1,343 78			
Salaries	4,800 00			107,280 86
DEPARTMENT OF PUBLIC SAFETY.				
Salaries and office expense.....	5,395 69			
Fire Force	175,869 17			
Police Force.....	149,723 21			
East Market.....	8,213 90			
South Side Market.....	2,272 04			341,474 01
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Salaries	8,027 50			
Contagious Diseases.....	3,461 33			
Board of Health—office expense.	3,607 18			
City Hospital.....	34,484 30			
City Dispensary.....	5,792 42			55,372 73
DEPARTMENT OF LAW.				
Salaries and office expense	7,340 00			
Expenditures (see Table No. 3)...	5,504 16			12,844 16
Totals.....	\$1,022,775 78	\$196,055 86	\$186,745 30	\$1,405,576 94

TABLE No. 6.

Statement of Expenditures, 1899.

	Current Expenses, Including Salaries.	Extraordi- nary Dis- bursements	Expendi- tures in Per- manent Im- provements	Totals.
FINANCE DEPARTMENT.				
Redemption of bonds.....		\$14,000 00		
Interest and exchange.....	\$82,360 57			
Assessing.....	2,500 00			
Salaries.....	31,850 00			
Election.....	11,610 87			
Miscellaneous.....	6,130 85			\$149,052 29
DEPARTMENT OF PUBLIC WORKS				
Expenditures.....	433,467 40		\$14,211 51	
Salaries.....	7,860 22			455,539 13
DEPARTMENT OF PUBLIC PARKS				
Old Parks, improvements.....			1,652 23	
New Parks, improvements.....			92,105 19	
Old Parks, maintenance.....	20,472 27			
New Parks, maintenance.....	1,180 85			
New Park, purchase.....			16,494 28	
Salaries and office expenses.....	6,350 03			138,254 85
DEPARTMENT OF PUBLIC SAFETY.				
Salaries and office expenses.....	5,170 46		275 00	
Fire Force.....	170,801 22		6,206 22	
Police Force.....	149,959 11		3,950 91	
East Market.....	8,502 85			
South Side Market.....	833 95			
Hay Market.....	150 00			345,849 72
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Salaries and office expenses.....	10,713 63			
Contagious diseases.....	10,072 25			
City Hospital.....	30,095 01			
City Dispensary.....	5,216 10			56,096 99
DEPARTMENT OF LAW.				
Salaries and office expenses.....	6,909 78			
Expenditures (see Table No. 3)...	8,596 85			15,506 63
Totals.....	\$1,010,804 27	\$14,000 00	\$134,895 34	\$1,160,299 61

TABLE No. 7.

Statement of Taxable Property and Taxes Collected.

YEAR.	Assessed Valuation.	Taxes Collected.
1891.....	\$93,595,930	\$541,598 85
1892.....	98,230,242	566,267 61
1893.....	103,317,880	608,796 48
1894.....	104,215,385	648,430 17
1895.....	105,637,860	608,672 12
1896.....	108,285,915	671,959 67
1897.....	117,746,670	706,017 54
1898.....	119,856,680	785,094 03
1899.....	123,295,840	699,127 42
1900.....	123,753,030	876,667 44
1901.....	129,184,950	Payable in 1902

Constitutional limit of indebtedness, 2 per cent. on taxable property,
to wit: \$123,753,030—\$2,475,060.

TABLE No. 8.

Tax Levy on \$100 of Taxable Property.

Year.	State.	County.	School.	City.	T'wnship.	Totals.
1891.....	\$0.35	\$0.32	\$0.27	\$0.60	\$0.01	\$1.55
1892.....	.35	.36	.25	.60	.01	1.57
1893.....	.32	.39	.32½	.64½	.01	1.69
1894.....	.32	.39	.34	.60	.01	1.66
1895.....	.30½	.39½	.34	.60	.01	1.65
1896.....	.29⅔	.40⅓	.34	.60	.01	1.65
1897.....	.29⅔	.40⅓	.42	.60	.01	1.73
1898.....	.29⅔	.40⅓	.44	.70	.01	1.85
1899.....	.29⅔	.38⅓	.50	.60	.02	1.80
1900.....	.29⅔	.37⅓	.50	.73	.02	1.92
1901.....	.29⅔	.37⅓	.51	.75	.02	1.95

TABLE No. 9.—*Tabulated Statement of Bonded Debt, January 1, 1902.*

TITLE OF BONDS.		Date of Issue.	Date of Maturity.	Par Value of Bond.	No. Out-stand-ing.	Aggre-gate Amount.	Rate of Inter-est.	Interest Payable.
Indianapolis	Funding Bonds	Jan. 1, 1890	Jan. 1, 1910.	\$500	90	\$45,000	4	July 1, Jan. 1
	Southern Park Purchase, Refunding, 1894.	Jan. 26, 1894	Jan. 26, 1924	500	219	109,500	4	July 1, Jan. 1
	Refunding Bonds of 1894.	Mar. 1, 1894	Mar. 1, 1924	1,000	600	600,000	4	July 1, Jan. 1
	" " " (Series C)	June 30, 1894	June 30, 1924	1,000	300	300,000	4	June 30, Dec. 30
	Refunding Bonds (Series D, 1875) of 1895.	July 1, 1895	July 1, 1915	1,000	200	200,000	4	July 1, Jan. 1
	Improvement Bonds of 1896.	Jan. 1, 1896	Jan. 1, 1903	1,000	10	10,000	4	July 1, Jan. 1
	Park Improvement Bonds of 1897	April 1, 1897	Jan. 1, 1927.	1,000	850	350,000	4	July 1, Jan. 1
	Public Safety Bonds of 1897.	Jan. 1, 1897	Jan. 1, 1927.	1,000	150	150,000	4	July 1, Jan. 1
	Refunding Bonds of 1899.	Jan. 1, 1899	Jan. 1, 1909	1,000	110	110,000	3½	July 1, Jan. 1
	Bridge Bonds of 1899	Sept. 1, 1899	\$15,000 annually com. Jan. 1, 1905.	1,000	150	150,000	3½	July 1, Jan. 1
	Fire Dept. and City Hospital Bonds of 1901	Mar. 1, 1901	\$14,000 annually Jan. 1, 1905.	1,000	129	129,000	3½	July 1, Jan. 1
	Emergency Bonds of 1901	Dec. 14, 1901	\$5,000 July 1, 1902, \$10,000 semi-annually Jan. 1, and July 1, thereafter.	1,000	195	195,000	3½	July 1, Jan. 1
	BONDED DEBT ASSUMED BY REASON OF ANNEXATION.							
	Brightwood Waterworks.	Feb. 15, 1895	Feb. 15, 1905	1,000	4	\$2,348,500	6	Feb. 15, Aug. 15
	" "	Feb. 15, 1895	Feb. 15, 1910	1,000	5	5,000	6	Feb. 15, Aug. 15
Haughville	School House.	Feb. 15, 1895	Feb. 15, 1915	1,000	5	5,000	6	Feb. 15, Aug. 15
	" "	July 15, 1895	July 15, 1915	300	1	300	5	Jan. 15, July 15
	" "	July 15, 1895	July 15, 1915	500	1	500	5	Jan. 15, July 15
	" "	July 15, 1895	July 15, 1915	1,000	12	12,000	5	Jan. 15, July 15
Mt. Jackson	School House	Sept. 24, 1894	\$100 annually Sept. 24, 1900 annually July 1, 1915	100	3	300	6	Mar. 24, Sep. 24
	West Indianapolis School House.	July 15, 1889	\$2,000 annually July 15, 1905	1,000	6	6,000	6	Jan. 15, July 15
	" "	Nov. 3, 1890	July 15, 1905	1,000	2	2,000	6	Jan. 15, July 15
	" "	July 1, 1891	\$2,000 annually Jul. 1, 1906 to 1909	1,000	8	8,000	6	Jan. 1, Jan. 1
Funding Bonds.	" "	July 15, 1892	July 15, 1907 to 1912	1,000	12	12,000	6	Jan. 15, July 15
	" "	Feb. 5, 1894	Feb. 5, 1908	1,000	10	10,000	6	Feb. 5, Aug. 5
	" "	Feb. 5, 1894	Feb. 5, 1909	1,000	10	10,000	6	Feb. 5, Aug. 5
	" "	Mar. 15, 1895	\$1,000 annually Mar. 15, 1902 to 1910.	1,000	9	9,000	6	Mar. 15, Sep. 15
"	" "	July 6, 1896	\$1,000 annually Jul. 6, 1912 to 1917	1,000	6	6,000	6	Jan. 6, July 6
	" "	Dec. 21, 1896	Dec. 21, 1916	1,000	8	8,000	6	June 21, Dec. 21
	" "					\$98,100		
Total City Debt contracted by the city proper.....						\$2,348,500 00		
Total City Debt contracted by reason of annexations.....						98,100 00		
Total Bonded Debt.....						\$2,446,600 00		

TABLE No. 10.
Statement Showing the Maturity by Years of the Bonded Debt.

Year.	TITLE OF BONDS.	Date of Maturity.	Amount.	Total.
1902	West Indianapolis funding bonds of 1895.	March 15	\$1,000 00	
	Emergency bonds of 1901	July 1	5,000 00	
	West Indianapolis school house bonds of 1889.	July 15	2,000 00	
	Mt. Jackson school house bonds of 1894	Sept. 24	100 00	\$8,100 00
1903	Improvement bonds of 1896.	Jan. 1	\$10,000 00	
	Emergency bonds of 1901	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901.	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1895.	March 15	1,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1889	July 15	2,000 00	
	Mt. Jackson school house bonds of 1894	Sept. 24	100 00	47,100 00
1904	Emergency bonds of 1901	Jan. 1	\$10,000 00	
	Fire Department and City Hospital bonds of 1901.	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1895.	March 15	1,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1889	July 15	2,000 00	
	Mt. Jackson school house bonds of 1894.	Sept. 24	100 00	37,100 00
1905	Bridge bonds of 1899.	Jan. 1	\$15,000 00	
	Emergency bonds of 1901.	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901	Jan. 1	14,000 00	
	Brightwood waterworks bonds of 1895	Feb. 15	4,000 00	
	West Indianapolis funding bonds of 1895.	March 15	1,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1890	July 15	2,000 00	56,000 00

TABLE No. 10—Continued.

Year.	TITLE OF BONDS.	Date of Maturity.	Amount.	Total.
1906	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
	Emergency bonds of 1901.....	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901.....	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1895.....	March 15	1,000 00	
	West Indianapolis school house bonds of 1891.....	July 1	2,000 00	
	Emergency bonds of 1901.....	July 1	10,000 00	\$52,000 00
1907	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
	Emergency bonds of 1901.....	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901.....	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1895.....	March 15	1,000 00	
	West Indianapolis school house bonds of 1891.....	July 1	2,000 00	
	Emergency bonds of 1901.....	July 1	10,000 00	
	West Indianapolis school house bonds of 1892.....	July 15	2,000 00	54,000 00
1908	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
	Emergency bonds of 1901.....	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901.....	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1894.....	Feb. 5	10,000 00	
	West Indianapolis funding bonds of 1895.....	March 15	1,000 00	
	West Indianapolis school house bonds of 1891.....	July 1	2,000 00	
	Emergency bonds of 1901.....	July 1	10,000 00	
	West Indianapolis school house bonds of 1892.....	July 15	2,000 00	64,000 00
1909	Refunding bonds of 1899.....	Jan. 1	\$110,000 00	
	Bridge bonds of 1899.....	Jan. 1	15,000 00	
	Emergency bonds of 1901.....	Jan. 1	10,000 00	
	Fire Department bonds of 1901.....	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1894.....	Feb. 5	10,000 00	
	“ “ of 1895.....	March 15	1,000 00	

TABLE No. 10—Continued.

Year.	TITLE OF BONDS.	Date of Maturity.	Amount.	Total.
1909	—Continued. West Indianapolis school house bonds of 1891	1 July	\$2,000 00	
	Emergency bonds of 1901	1 July	10,000 00	
	West Indianapolis school house bonds of 1892 ..	15 July	2,000 00	\$174,000 00
1910	Funding bonds of 1890	1 Jan.	\$45,000 00	
	Bridge bonds of 1899	1 Jan.	15,000 00	
	Emergency bonds of 1901	1 Jan.	10,000 00	
	Fire Department and City Hospital bonds of 1901 ..	1 Jan.	14,000 00	
	Brightwood waterworks bonds of 1895	15 Feb.	5,000 00	
	West Indianapolis funding bonds of 1895	15 March	1,000 00	
	Emergency bonds of 1901	1 July	10,000 00	
	West Indianapolis school house bonds of 1892	15 July	2,000 00	102,000 00
1911	Bridge bonds of 1899	1 Jan.	\$15,000 00	
	Emergency bonds of 1901	1 Jan.	10,000 00	
	Fire Department and City Hospital bonds of 1901 ..	1 Jan.	14,000 00	
	Emergency bonds of 1901	1 July	10,000 00	
	West Indianapolis school house bonds of 1892	15 July	2,000 00	51,000 00
1912	Bridge bonds of of 1899	1 Jan.	\$15,000 00	
	Emergency bonds of 1901	1 Jan.	10,000 00	
	Fire Department and City Hospital bonds of 1901 ..	1 Jan.	3,000 00	
	West Indianapolis Funding bonds of 1896	6 July	1,000 00	
	“ “ school house bonds of 1892	15 July	2,000 00	31,000 00
1913	Bridge bonds of 1899	1 Jan.	\$15,000 00	
	West Indianapolis funding bonds of 1896	6 July	1,000 00	16,000 00

TABLE No. 10—Continued.

Year.	TITLE OF BONDS.	Date of Maturity.	Amount.	Total.
1914	Bridge bonds of 1899	Jan. 1	\$15,000 00	
	West Indianapolis funding bonds of 1896	July 6	1,000 00	\$16,000 00
1915	Brightwood waterworks bonds of 1895	Feb. 15	\$5,000 00	
	Refunding bonds (Series D) of 1895	July 1	200,000 00	
	West Indianapolis funding bonds of 1896	July 6	1,000 00	
	Haughville school house bonds of 1895	July 15	12,800 00	
1916	West Indianapolis funding bonds of 1896	July 6	\$1,000 00	218,800 00
	" " of 1896	Dec. 21	8,000 00	
1917	West Indianapolis funding bonds of 1896	July 6	\$1,000 00	9,000 00
1924	Indianapolis Southern Park purchase of 1894	Jan. 26	\$109,500 00	1,000 00
	" refunding bonds of 1894	March 1	600,000 00.	
	" " of 1894 (Series C)	June 30	300,000 00	
1927	Park Improvement bonds of 1897	Jan. 1	\$350,000 00	1,009,500 00
	Public Safety bonds of 1897	Jan. 1	150,000 00	500,000 00
	Total			\$2,446,600 00

STATE OF INDIANA, MAIRON COUNTY, SS:

George T. Breunig, City Comptroller of the city of Indianapolis, being first duly sworn, deposes and says that the above and foregoing is a full, true and complete report of the finances of the city of Indianapolis, and a true statement of matters therein contained, as he verily believes.

GEO. T. BREUNIG.

Subscribed and sworn to before me, a notary public in and for said county and State, this 16th day of June, 1902.

HARRY M. FRANKLIN,
Notary Public.

[SEAL.]

My commission expires May 22, 1904.

On motion of Mr. Crall, the report was received without reading, and referred to Finance Committee.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, June 16, 1902.

To the Mayor and Common Council:

Gentlemen—On July 7, 1900, the Board of Trustees of the town of Irvington, appointed Mr. Clarence K. Davis, as an expert, to audit the books of the town board.

On March 8, 1902, said Clarence K. Davis filed with the clerk of said town of Irvington a claim in the sum of \$150.00 for services rendered under such appointment.

At the time of the annexation of said town of Irvington by the city of Indianapolis said claim remained unpaid, and is, I am informed by the City Attorney, a valid charge against the city.

I recommend that an ordinance be passed appropriating the amount named.

Respectfully,
GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, June 16, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith G. O. No. 38, 1902, ratifying a contract entered into this day by and between the Mainland Manufacturing Company and the city of Indianapolis, by its Board of Public Works, granting permission for the construction and maintenance of a sidetrack or switch across Twenty-fifth street, for your consideration and action.

Respectfully submitted,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE.

Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 17, 1902: "An ordinance appropriating the sum of seven hundred and fifty dollars for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, June 12, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom App. O. No. 17 has been referred, has had the same under consideration, and recommends that the same do pass.

Respectfully submitted,

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
JNO. H. CRALL,
FRED W. EPPERT,
JAMES E. BERRY,
JAMES D. MORIARITY.

Which report was read and concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 14, 1902: "An ordinance appropriating the sum of seven hundred dollars for the Department of Public Works, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, June 9, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 14, 1902, under consideration, and recommends that the same do pass.

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
JNO. H. CRALL,
FRED W. EPPERT,
JAMES E. BERRY,
JAMES D. MORIARITY.

Which was read and concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 15, 1902: "An ordinance

appropriating the sum of \$8,730.35 for the use of the Department of Finance, and fixing the time when the same shall take effect."

Made the following report:

INDIANAPOLIS, June 9, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 15, 1902, under consideration, and recommends that the same do pass.

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
JNO. H. CRALL,
FRED W. EPPERT,
JAMES E. BERRY,
JAMES D. MORIARITY.

Which was read and concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 18, 1902: "An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, June 12, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom App. O. No. 18 has been referred, has had the same under consideration, and recommends that the same do pass.

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
JNO. H. CRALL,
FRED W. EPPERT,
JAMES D. MORIARITY,
JAS. E. BERRY.

Which was read and concurred in.

Mr. Eppert, on behalf of the Committee on Ordinances, to which was referred Special O. No. 1, 1902: "An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of

Indianapolis certain territory ; providing for the publication thereof, and fixing the time when the same shall take effect."

Made the following report :

INDIANAPOLIS, June 16, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Ordinances, to which was referred Special O. No. 1, 1902, has had same under consideration, and recommends that same do pass.

FRED W. EPPERT,
W. H. WHEELER.

Which was read and concurred in.

Mr. Sourbier, on behalf of the Committee of Public Safety and Comfort, to which was referred G. O. No. 28, 1902: "An ordinance to authorize the inspection of scales, weights and measures, the appointment of an inspector, and defining his duties and compensation."

Made the following report :

Mr. President:

Your Committee on Public Safety and Comfort, to whom was referred G. O. No. 28, 1902, begs leave to report as follows:

1st. We recommend that the title to said ordinance be amended so as to read as follows:

"An ordinance providing for the inspection of scales, weights and measures, in the city of Indianapolis, Indiana, providing for the appointment of an Inspector of Scales, Weights and Measures, and defining his duties and compensation, providing penalties for the violation thereof, and fixing a time when the same shall take effect."

2nd. That Section 6 of said ordinance be amended by inserting a comma after the word "use" in the 6th line of said section, and inserting after the comma the words: "or cause to be used"

3rd. That the word "sell," in the 13th line of Section 6, and all following said word in said section, be stricken out, and that there be inserted in lieu thereof the following: "notify the person, firm or corporation owning such scales, weights or measures that the same have been adjusted and are held subject to the payment of the cost of adjustment, and a specified penalty thereon. And if the owner or owners of such scales shall call for the same within the thirty days succeeding the service of said notice, and shall pay to the Inspector of Scales, Weights and Measures the cost of such adjustment, together with a penalty of ten (10) per cent. on such cost, then such scales, weights or measures shall be delivered to such owner or owners. And if such scales, weights or measures shall not be so called for within said thirty days, and said cost of adjustment and penalty be not paid as aforesaid, then said Inspector shall sell said scales, weights or measures at public auction to the highest bidder and turn the proceeds of such sale or sales over to the Comptroller of said city."

4th. That the words "City Clerk," in the 15th line of Section 9 of said ordinance, be stricken out, and that there be inserted in lieu thereof the words: "City Comptroller."

And when so amended we recommend that the same do pass.

ED. G. SOURBIER,
J. L. McFARLAND,
ANDREW H. WAHL,
B. F. WYSONG.

Which was read and concurred in.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By City Comptroller (through Mr. Wynne):

App. O. No. 19, 1902: An ordinance appropriating the sum of one hundred and fifty dollars for the Department of Finance, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., that there be and is hereby appropriated the sum of one hundred and fifty dollars (\$150.00) to be credited to "Miscellaneous Expenses of City Officers," Department of Finance, for the payment of a certain claim in favor of C. K. Davis, a debt inherited by the city of Indianapolis by reason of the annexation of the town of Irvington.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 38, 1902: An ordinance approving a certain contract granting the Mainland Manufacturing Company the right to lay and maintain a certain switch or sidetrack in the city of Indianapolis, under certain stipulated terms and agreements.

Whereas, heretofore, to wit: On the 16th day of June, 1902, the Board of Public Works of the city of Indianapolis, Ind., made and entered into a certain contract with the Mainland Manufacturing Company, which contract is as follows:

Whereas, heretofore, to wit: On the 16th day of June, 1902, the Mainland Manufacturing Company filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, May 5, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Mainland Manufacturing Company, respectfully petition for permission to construct and maintain a railroad switch or sidetrack across Twenty-fifth street. The exact location of said proposed sidetrack is more specifically described as follows:

The center line of said proposed switch or sidetrack begins at a point in the south line of Twenty-fifth street, the said point being twenty-six feet east of and measured at right angles to and from the center of the Lake Erie and Western Railway Company's main track; thence north parallel with and twenty-six feet distant from said main track to a point in the

north line of Twenty-fifth street, the said point being twenty-six feet east of and measured at right angles to and from the center line of said main track, all as shown by the drawing herewith submitted, attached hereto, filed herewith, and for greater certainty marked "Exhibit."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

MAINLAND MANUFACTURING CO.

By C. K. THOMPSON, President.

Now therefore, this agreement, made and entered into this 16th day of June, 1902, by and between Mainland Manufacturing Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part

Witnesseth, That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across Twenty-fifth street, in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects Twenty-fifth street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said board, to take up and remove said sidetrack or switch, and upon its failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and, in removing said sidetrack or switch, or in causing the same to be done, said board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, of Twenty-fifth street, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of the act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Twenty-fifth street, in the city of Indianapolis, as follows: "The following described center line begins at a point in the south line of Twenty-fifth street, the said point being twenty-six feet east of and measured at right angles to and from the center of the Lake Erie and Western Railway Company's main track; thence north parallel with and twenty-six feet distant from said main track to a point in the north line of Twenty-fifth street, the said point being twenty-six feet east of and measured at right angles to and from the center line of said main track, all as shown by drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit."

In witness whereof, we have hereunto set our hands this 16th day of June, 1902.

MAINLAND MANUFACTURING CO.

By C. N. THOMPSON, President.

CITY OF INDIANAPOLIS:

HAROLD C. MCGREW,

EDWIN D. LOGSDON,

C. MAGUIRE.

Board of Public Works, party of the second part.

Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, Indiana, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, that said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following ordinance was taken up and read a second time:

Special O. No. 1, 1902: An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and annexing to the city of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

On motion of Mr. Eppert, Special O. No. 1, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, none.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 14, 1902: An ordinance appropriating the sum of seven hundred dollars for the Department of Public Works, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 14, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, none.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 15, 1902: An ordinance appropriating the sum of \$8,730.35 for the use of the Department of Finance, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 15, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, none.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 17, 1902: An ordinance appropriating the sum of seven hundred and fifty dollars for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 17, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 16, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, 1, viz.: Mr. Warweg.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 18, 1902: An ordinance appropriating the sum of two thousand (\$2,000) dollars for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 18, 1902, was then ordered engrossed, read a third time, and passed by the the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, none.

Mr. Sourbier moved that G. O. No. 28, 1902, be amended as recommended by Committee on Public Safety and Comfort.

Which motion prevailed.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 28, 1902: An ordinance to authorize the inspection of scales, weights and measures, the appointment of an inspector, and defining his duties and compensation.

On motion of Mr. Sourbier, G. O. No. 28, 1902, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

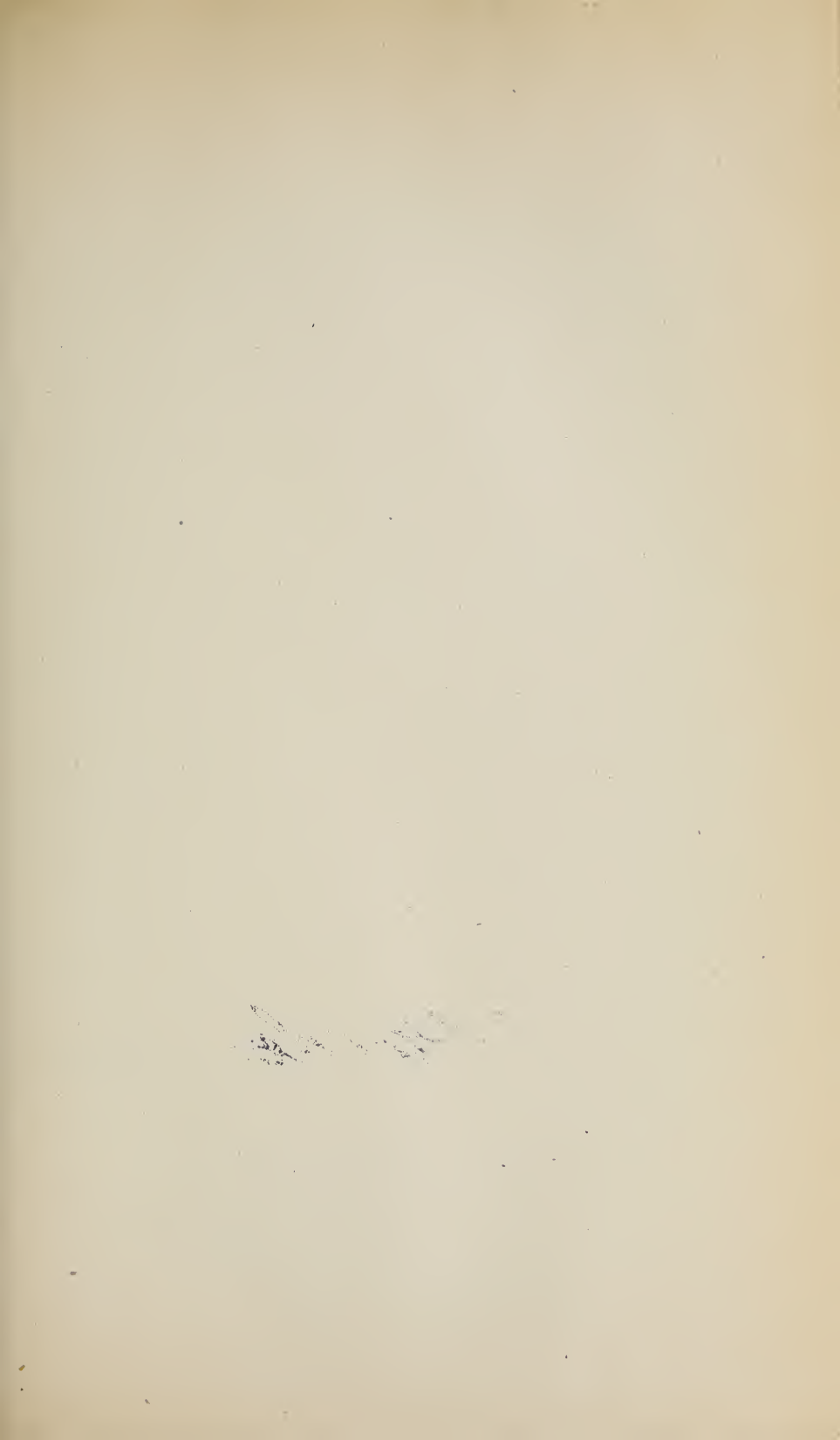
Noes, none.

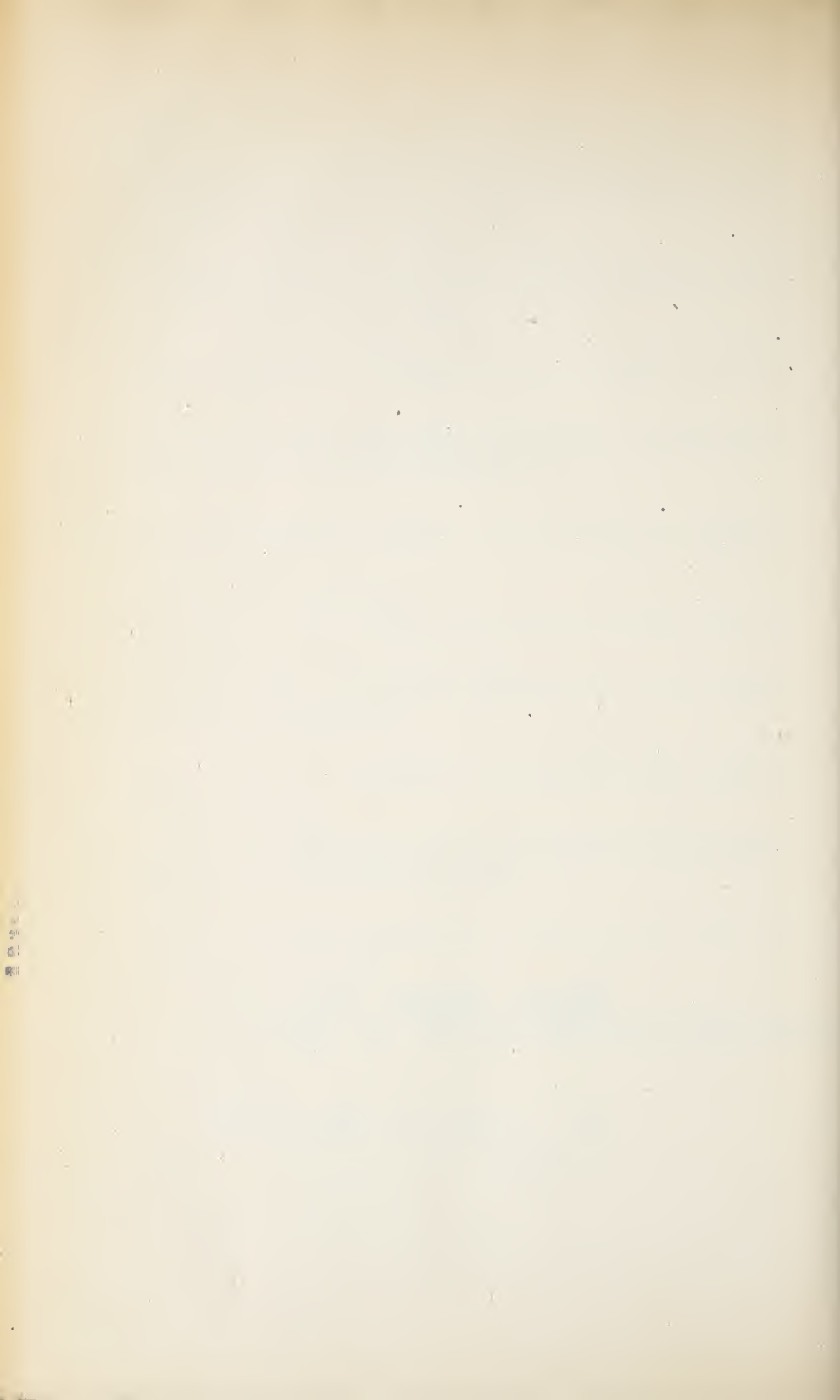
On motion of Mr. Sourbier, the Common Council, at 8:50 o'clock p. m., adjourned.

J. M. Haldeman
President.

ATTEST:

Charles H. Elliott
City Clerk.





REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, July 7, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 7, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 20 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wyseng.

Absent, none.

The Clerk proceeded to read the Journal, whereupon Councilman Moriarity moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,
City of Indianapolis.
INDIANAPOLIS, June 18, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 18, 1902, "An ordinance appropriating the sum of \$2,000 for the use of the Department of Public Health and Charities of the city of Indianapolis, and fixing a time when the same shall take effect."

App. O. No. 17, 1902, "An ordinance appropriating the sum of \$750 for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect."

App. O. No. 14, 1902, "An ordinance appropriating the sum of \$700 for the Department of Public Works, and fixing a time when the same shall take effect."

Special O. No. 1, 1902, "An ordinance defining a part of the boundary line of the city of Indianapolis, Indiana, so as to extend the same, and

annexing to the city of Indianapolis certain territory, providing for the publication thereof, and fixing a time when the same shall take effect."

App. O. No. 15, 1902, "An ordinance appropriating the sum of \$8,730.35 for the use of the Department of Finance, and fixing the time when the same shall take effect."

Very truly yours,

CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT.

City of Indianapolis,

INDIANAPOLIS, July 3, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 28, 1902, "An ordinance providing for the inspection of scales, weights and measures, in the city of Indianapolis, Indiana, providing for the appointment of an Inspector of Scales, Weights and Measures, and defining his duties and compensation, providing penalties for the violation thereof, and fixing a time when the same shall take effect."

Very truly yours,

CHARLES A. BOOKWALTER,
Mayor.

Which were read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communications from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS.

Office of the Board,

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action, G. O. No. 39, 1902, ratifying and approving a contract made and entered into this day with the Merchants' Heat and Light Company, and the city of Indianapolis, by and through its Board of Public Works, granting said company the right, privilege and authority to maintain and operate a hot-water heating and electric lighting plant in the city of Indianapolis under certain terms and conditions named, and fixing the time when same shall take effect.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action, G. O. No. 40, 1902, ratifying and approving a contract made and entered into this day with the Citizens' Heat and Light Company and the city of Indianapolis, by and through its Board of Public Works, granting said company the right, privilege and authority to maintain and operate a hot-water heating and electric lighting plant in the city of Indianapolis, under certain terms and conditions named, and fixing the time when same shall take effect.

Respectfully,

HAROLD C. MCGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action, G. O. No. 41, 1902, ratifying and approving a certain contract entered into by James L. Keach and the city of Indianapolis, by and through its Board of Public Works, granting said Keach the right to construct and operate a switch or sidetrack in and along Louisiana street, in the city of Indianapolis, the same being in lieu of and to supersede an ordinance entitled "G. O. No. 22, 1902, An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street in the city of Indianapolis" and repealing said last named ordinance.

Very respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

DEPARTMENT OF PUBLIC WORKS.

Office of the Board.

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action, G. O. No. 42, 1902, ratifying and approving a certain contract entered into by E. C. Atkins & Company and the city of Indianapolis, by and through its Board of Public Works, granting the said E. C. Atkins & Company

the right to construct and operate a switch or sidetrack across certain streets and alleys in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

On motion of Mr. Crall, the Council referred back to the order of business, "Reports from City Officers."

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit an ordinance appropriating the sum of \$362.75 with which to pay interest on town of Irvington bonds due August 1 and September 1, 1902, and recommend the same do pass.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 19, 1902: "An ordinance appropriating the sum of one hundred and fifty dollars for the Department of Finance, fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance has had App. O. No. 19, 1902, under consideration, and recommends that the same do pass.

T. A. WYNNE,
JNO. H. CRALL,
FRED W. EPPERT,
B. F. WYSONG,
JAMES D. MORIARITY,
JAS. E. BERRY.

Which was read and concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 16, 1902: "An ordinance authorizing the Board of Public Works of the city of Indianapolis to purchase real estate upon which to construct and erect a small-pox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred (\$13,500) dollars for such purpose, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, June 12, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom App. O. No. 16, 1902, has been referred, has had the same under consideration and recommends that the same do pass.

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
JNO. H. CRALL,
FRED W. EPPERT,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read and concurred in.

Mr. Sourbier, on behalf of the Committee on Public Safety and Comfort, to which was referred G. O. No. 36, 1902: "An ordinance concerning the prevention of disturbances of public gatherings."

Made the following report:

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Public Safety and Comfort, to which was referred G. O. No. 36, 1902, recommends that Section 1 be amended so as to read as follows:

Section 1. Be it ordained by the Common Council of the city of Indianapolis, that, if any person shall, during any public gathering of people in the city of Indianapolis, county of Marion, State of Indiana, throw at, against or upon any other person what is commonly called and known as "confetti," or any other substance, without first having obtained permission from such other person so to do, or shall indulge in any act of violence or rowdyism upon the streets or property of another, such person, on conviction of such offense, before the Police Court of the city of Indianapolis, shall be fined in any sum not less than five dollars nor more than fifty dollars.

That Section 2 be stricken out; that Section 3 be numbered Section 2, and when so amended that ordinance do pass.

ED. G. SOURBIER,
B. F. WYSONG,
ANDREW H. WAHL.

Which was read and concurred in.

Mr. Cooper, on behalf of the Committee on Railroads to which was referred G. O. No. 38, 1902: "An ordinance approving a certain contract granting the Mainland Manufacturing Company the right to lay and maintain a certain switch or sidetrack in the city of Indianapolis, under certain stipulated terms and agreements."

Made the following report:

INDIANAPOLIS, July 7, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to which was referred G. O. No. 38, 1902, has had same under consideration and recommends that same do pass.

LEW W. COOPER,
T. A. WYNNE,
J. S. HOLLIDAY,
JNO. WOLSIFFER.

Which was read and concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Comptroller (through Mr. Wynne):

App. O. No. 20, 1902: An ordinance appropriating the sum of \$362.75 for the Department of Finance, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and is hereby appropriated for the use of the Department of Finance, the sum of three hundred and sixty two dollars and seventy-five cents (\$362.75), to be used in the payment of interest due August 1 and September 1, 1902, on town of Irvington Bonds.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By the Board of Public Works:

G. O. No. 39, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and the Merchants' Heat and Light Company, its successors and assigns, whereby said Merchants' Heat and Light Company, its successors and assigns, is granted the right and authority to enter

upon and use the streets, alleys, and public places of, and within, the city of Indianapolis, for the purpose of heating water or steam and generating electricity and distributing and supplying hot water, heat, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: On the seventh day of July, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Merchants' Heat and Light Company, namely:

This agreement, made this seventh day of July, 1902, by and between the city of Indianapolis, by and through its Board of Public Works, party of the first part, and the Merchants' Heat and Light Company, party of the second part, Witnesseth:

That the party of the first part does hereby grant unto the party of the second part, its successors and assigns, subject to any laws and ordinances now in force, or hereafter enacted or put in force as police regulations, authority and permission to use the streets, alleys and public places of and within the city of Indianapolis as bounded at any time during the life of this grant, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, steam and electricity, or either thereof, for heat, light or power, or either thereof, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any thereof, which grant is and shall be upon the following terms and conditions, that is to say:

(1) The stations for generating or creating heat, power or light for distribution may be established and maintained by the second party upon ground owned or leased by it at suitable points in said city; and all buildings, structures, machinery and appliances shall conform to the fire and building ordinances of said city, and shall be at all times subject to the inspection and all reasonable regulations of the Board of Public Works.

(2) Whenever the second party shall desire to construct any appliances for the distribution of heat, power or light, as aforesaid, through the territory to be supplied by such stations, respectively, it shall prepare and place on file in the office of the Board of Public Works of said city, maps, plans and specifications of such proposed construction, which specifications shall include all excavations and all underground and overhead apparatus and appliances of every kind and description, showing the exact location of all poles, pipes, conduits, ducts, and other appliances, the height above or the depth below the surface of the streets, and, in general, where and how such construction is to be done, and shall conform in all respects to the provisions of this contract and any ordinance of the Common Council relating to the public safety and health; which maps, plans and specifications shall be approved without unnecessary delay by the said Board of Public Works, and a permit to cut into the streets, alleys and public places shall be issued to the said party of the second part, before such work shall be begun. Alleys, instead of streets, shall be used whenever practicable. All poles, wherever erected in the construction of said plant, shall be so placed as to interfere as little as possible with other public uses of the streets, alleys or other grounds, or with public or private interests or conveniences.

The Board of Public Works shall have the power to designate at what point in the street, alley or public place shown upon such maps, plans and specifications, the trenches, conduits, poles or other appliances used by said second parties in the distribution of heat, light or power shall be located. In case of a dispute between any property-owner and said second party as to the location of any of the appliances aforesaid, or a change of location of any such trench, conduit, pole or other appliances may be deemed necessary, the decision of the Board of Public Works as to such location shall be final. And there shall be placed underground all wires, cables, conduits, ducts and appurtenances for the distribution of heat, power or light, as aforesaid, in all the territory bounded on the north by North street, on the south by South street, on the east by East street and on the west by West street, except such aerial poles, cables and wires as he said Board of Public Works shall give its express permission to be allowed in such territory for local distribution.

(3) Upon filing any such maps, plans and specifications, and their approval, as aforesaid, said party of the second part may make the specified excavations and lay the specified pipes, conduits, wires and other appliances underground, and in those parts of the city outside of the territory bounded on the north by North street, on the south by South street, on the east by East street and on the west by West street, may erect and construct the specified poles, wires and overhead appliances, all with suitable and safe connections and appurtenances to constitute an entire plant, which said second party may thereafter maintain, repair, improve, extend, add to and operate during the life of this grant, subject to its terms and conditions; such extensions being first approved by the Board of Public Works.

(4) It is agreed by the parties hereto, that by fixing the area within which the conduits, ducts and wires of said plant shall be placed underground, the right of the Common Council to hereafter exercise any of the police powers of said city shall not be in anywise restricted or abridged.

(5) It is also agreed that all underground wires, conduits, pipes, ducts and appliances used in the construction of said plant, shall be placed at such depth that the top of all parts thereof shall be not less than two feet below the surface of the street, alley or public place wherein they are located, and shall be so located and constructed as not to interfere with or disturb existing surface or underground structures, conduits, pipes, or other property belonging to other corporations, companies, or persons, or sewers, or sewer connections. Nothing contained herein shall preclude the said city from prosecuting or authorizing any future public work of any character; but in the prosecution of any public work or improvement hereafter, the said Board shall have the right, if it deems the same necessary, to require the temporary removal of any wire, pipe, conduit, duct or appliance, authorized by this contract to be laid, and the same shall be removed, or necessary changes made therein by the said second party so as to conform according to the terms of this contract, with the surface grade of any unimproved street, alley or public place ordered to be improved on the order and requirement of the said Board, and in case of failure on the part of said second party to comply with any such order or requirement, then the said Board may make such removal or change, and the necessary cost thereof shall be paid by second party to the City Comptroller upon proper demand being made therefor.

(6) It is also agreed that all the work of the construction or repair of that part of the second party's plant that is located in any of the streets, alleys or public places of said city shall be under and subject to the supervision of inspectors to be appointed by the said Board of Public Works, the said inspectors to be appointed and to begin the inspection and supervision of said work or repair as soon as the said

second party shall have completed the excavations therefor, and all the necessary expense for the employment of all such inspectors shall be paid by the said party of the second part to the City Comptroller, on demand. The Board of Public Works of said city shall at all times have the right to inspect, superintend and control the construction of the conduits, manholes and other appurtenances which may be constructed as part of said plant; and the right is hereby reserved to said Board to order any change made from time to time for city purposes; all such changes to be made by the said second party without expense to said city. In case the said party of the second part shall neglect or refuse to obey any instruction of said Board with respect to any alteration to be made, the said Board is authorized to make the same, and collect the cost thereof from the said party of the second part.

(7) The said party of the second part agrees and binds itself that in the construction or repair of said plant it will not at any time open or encumber more of any street, alley or public place than may be necessary to enable it to perform the work of laying its pipes, wires, cables, conduits, conductors and other appurtenances with proper economy and efficiency, and that no opening of or encumbrance to any such streets, alleys or public places shall be permitted to remain, or continue for a longer period than may be necessary within the judgment of the Board of Public Works; and that it will properly and effectually guard all such openings and encumbrances with such barriers and lights as will prevent the happening of accidents or injuries by reason thereof. The said party of the second part also agrees and binds itself to hold the city of Indianapolis harmless as against any and all damages done by it to the streets, alleys, avenues and public places within such city, in the building of and construction of its said plant, underground or aerial; that it will restore all streets, alleys, avenues and public places to the same condition after the completion of its work as they were in before being cut into or used by it—the party of the second part—all such streets, alleys, avenues and public places to be repaved with the same material with which they were paved before being disturbed by it, or with such material and in such manner as shall be satisfactory to said Board of Public Works; and that it will at all times make any and all repairs which may be necessary to any of the streets, alleys, avenues or public places by reason of the same having been digged into or disturbed in the construction or repair of said plant; that it will not, in such construction or repair, cut into or remove material from the surface or underneath the surface of any such street, alley or public place without having first prepared and filed with the Board of Public Works maps, plans and specifications as herein provided, and obtained the consent of the Board; that it will pay all damages for personal or other injuries that may result from or grow out of any work that may be done by or for it in such construction or repair; that it will indemnify and save said city harmless from any and all liability or expense growing out of, or resulting from, the construction or repair of any part of its plant; that it will, upon the demand of the City Comptroller of said city, pay any liability which may accrue against such city and any and all judgments which may have been obtained and rendered against said city on account and by reason of the construction or repair of such plant, or the occupancy by it of any of the streets, alleys or public places in said city; that if the city shall become involved in any action or suit on account of any act or omission of said second party in the construction or operation of its said plant, it will, upon notice from said city, or its proper officers, appear and defend such action or suit, without expense to the said city; and that it will also protect and save said city of Indianapolis harmless as against any and all suits which may be brought by any person or corporation for the infringement of any

patent which may be alleged against such second party, either in the course of the construction or operation of said plant or system.

(8) In the equipment of the stations of the party of the second part it shall employ the most modern and effective appliances for the consumption or suppression of the smoke from its furnaces or other heating apparatus; and in the distribution of electricity for light or power the most modern and effective equipment and appliances shall be used to prevent damages therefrom.

(9) The said party of the second part shall have the right to tap or connect with any sewer in any street, alley or public place occupied by any of the pipes, casings or appliances of the party of the second part, for the purpose of draining such pipes, casings and appliances and the trenches in which they are laid, provided plans and specifications showing where and how such tappings or connections shall be made have been first filed with and approved by the Board of Public Works and a permit issued therefor, all of which work shall be done under the supervision of inspectors appointed by said Board of Public Works, as provided in Section 6 of this contract.

(10) Before the party of the second part shall begin its work of construction it shall execute to the party of the first part, to the approval of its Board of Public Works, a good and sufficient bond in the sum of twenty-five thousand (\$25,000) dollars, which bond shall be conditioned for the faithful performance by said party of the second part of each and every stipulation and agreement contained in this contract, and for the carrying out of all of the terms and conditions thereof during the entire period and term covered thereby; and the said Board of Public Works shall have the right at any time during said period, whenever the surety on said bond shall not be deemed ample and satisfactory, or said bond has been impaired by money payment thereon, to require such additional surety thereon as it may deem necessary, and if said party of the second part shall, on written demand of such Board, refuse or fail to furnish such additional surety, then its rights under this contract shall cease and the franchise hereby granted be forfeited, and such forfeiture be enforced in any court of competent jurisdiction.

(11) Said party of the second part agrees, unless prevented without fault of its own, that it will within sixty (60) days after the approval of this contract by the Common Council of the city of Indianapolis begin the construction of its plant, and that it will have such plant substantially completed and ready for operation within one year after commencing the construction thereof; and for the faithful performance of the stipulations on behalf of the party of the second part of this, the eleventh (11), paragraph of this contract the said second party shall execute a bond to the approval of the Board of Public Works in the sum of ten thousand (\$10,000) dollars.

(12) It is agreed that the annual rate which the second party may charge to the consumers of steam heat supplied by it shall not exceed thirty (30) cents per square foot of radiating surface in use by any customer, and that the charge for hot water heating shall not exceed seventeen (17) cents per square foot of radiating surface in use by any customer, such charges to be divided according to seasons and time of payment as may be determined by the party of the second part, the radiating surface to be ascertained by measuring the surface of the radiators and pipes used by the customers for heating.

(13) The rate to be charged by the second party for incandescent electric lighting shall not exceed ten (10) cents per thousand watts, to be paid as may be required by the second party.

(14) It is agreed that any consumer whose radiation is sufficient under the regulations of the party of the second part, and to whom

insufficient heat is supplied to maintain uniformly a maximum temperature within the room where such radiation is supplied of seventy degrees Fahrenheit, there shall be allowed by such second party, from the charges against such consumer, a discount justly proportioned to the loss of temperature below said maximum: Provided, however, That there shall be no charge against such consumer for such time, during the months of October, November, December, January, February, March and April, when such temperature shall fall below fifty-five (55) degrees Fahrenheit: And provided, also, That such discounts shall not be required where the second party has not been notified in writing of such insufficiency of heat and given an opportunity to discover the cause, and, if due to the second party's service, to remedy the same, nor shall it be required where the cause is due to defective radiation or the violation of the second party's rules for receiving and distributing the heat, or to defective construction of building, or to any fault of the consumer.

(15) It is further agreed, in consideration of the privileges herein granted by the first party, that the second party will pay annually at the close of each fiscal year of the party of the second part, to the party of the first part, the sum of five per centum of the gross receipts derived by the party of the second part for the furnishing of heat and incandescent light under the provisions of this contract. And it is agreed that the party of the second part shall, at the close of said fiscal year, render to the first party a full statement of such gross receipts, verified by the party of the second part. In the event that doubt shall arise as to the accuracy of such statement, it is agreed that the Comptroller of said city shall have access to and the privilege of examining the books of the party of the second part and determining therefrom the amount of such gross receipts, and the sum by him ascertained shall constitute the basis for said per centum charge.

(16) All rights, privileges and concessions herein granted to said company, party of the second part, are expressly limited to a period of twenty-five (25) years from the first day of September, 1903, which limitation of time is hereby declared to be one of the considerations for the grants herein contained.

(17) To the end that at the expiration of said period for which said grant is made there may be no doubts exist as to the respective rights of the parties hereto, it is agreed:

(a) If, at any time, not less than three (3) months nor more than six (6) months before the expiration of said term, a new franchise and right to occupy the streets, alleys, avenues and public places of said city, and to supply hot water, steam and electricity, or either thereof, for heat, light or power, or either thereof, by means of pipes, conduits, wires and appurtenances overhead, or either or any thereof, shall have been granted to said company, its successors or assigns, by the proper officers of said city, then the said city shall have the option to become the purchaser and owner of all the tangible property of said company, by the payment to the corporation then owning the same the fair cash value of such tangible property as constituting an operating plant and system, and in case the said city, through its proper officers and the said corporation, are unable to agree as to the fair cash value, as aforesaid, of such property, the same shall be determined by a committee of three (3) arbitrators, one of whom shall be chosen by the Mayor of said city, one by the said corporation owner and the third by the two chosen as above, said third member of said committee to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of the parties to said contract, and the finding of the majority of such committee as to such value shall be binding

on both the said city and the said corporation, and the said city shall be bound to pay and the said corporation shall be bound to receive the said amount as the purchase price of said property: Provided, That nothing herein contained shall be so construed as that the said city shall be compelled to purchase said tangible property, or any part thereof, unless, by its officers, it shall elect to have the cash value thereof, as aforesaid, appraised as hereinabove provided, and the Common Council of said city shall, at the proper time, have made the necessary appropriation for such purpose.

If the said committee of arbitration is selected and act as above, the charges of such committee for services shall be borne equally by the corporation owner and the said city.

(b) If, within three (3) months of the expiration of said period of twenty-five (25) years, this contract and the franchise hereby granted shall not have been renewed or extended by a new contract, ratified by ordinance, and if said city shall not have exercised its optional right to purchase the tangible property of said corporation, the said city shall have the right, through its proper officers, to enter into a contract with and grant a franchise to another company or corporation to operate said property upon such terms as may be fixed by such contract for a period commencing on the date of the expiration of the franchise herein granted, and such company or corporation to which such new franchise may be granted may become the owner of the said tangible property and have the right to operate the same upon the payment by it to the company, party of the second part, or to whomsoever may then be the owner of such property, the fair cash value thereof as an operating plant and system, and if said company or corporation to which such new franchise is granted and the corporation owning such property shall be unable to agree as to the fair cash value of said property, as aforesaid, then the same shall be determined by a committee of three (3) arbitrators, to be chosen, one by each of the said corporations and the third by the two so chosen by the parties, said third member to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of said companies or corporations, and the decision of such committee or a majority thereof shall be final and binding on all parties. The expense of such committee, including their compensation, shall be equally borne, one-half by each of said two companies or corporations.

(c) If, at the expiration of said term of twenty-five (25) years, the city of Indianapolis shall not have become the owner of said plant and system, and if the tangible property constituting said plant and system shall not have been sold and delivered to any other corporation or company having a franchise and the right, by a contract with the city, to operate the same, and if this franchise shall not have been renewed or extended as hereinbefore provided, then the city shall, through its proper officers, proceed to offer by public advertisement a new franchise for the operation of said plant and system for a term of years, which franchise shall be awarded to the bidder who, being solvent and responsible, offers the most favorable terms for the city and its citizens, and who will bind himself, themselves or itself, as the case may be, to take the tangible property constituting said plant and system and pay to the corporation then owning the same the fair cash value thereof, as an operating plant, and if the parties cannot agree as to the fair cash value of said property, as aforesaid, then the same shall be determined by a committee of three (3) arbitrators, to be chosen, one by each of said corporations and the third by the two so chosen by the parties, said third member to be a disinterested and reputable electrical engineer, not residing in the State of Indiana, and not, at the time of his appointment, in the employment of either of the said

companies or corporations, and the decision of such committee, or a majority thereof, shall be final and binding on the said parties. The expense of such committee, including compensation, shall be equally borne, one-half by each of said two companies or corporations. If, at the expiration of this franchise, the same shall not have been extended, or the said property disposed of as provided for herein, it is expressly understood and agreed that said company, party of the second part, shall not have the right to tear up any street or alley occupied by it for the purpose of taking up any of the underground property belonging to said second party.

(18) The said party of the second part shall give to said city the right to use the poles erected in any part of said city whenever such city shall require the same for the use of the fire alarm, or police or telephone systems of said city.

(19) To each of the terms, conditions, provisions, stipulations and requirements of this contract, the city of Indianapolis, by and through its Board of Public Works, party of the first part herein, and the said Merchants' Heat and Light Company, party of the second part herein, do fully agree to and do bind themselves, their successors and assigns.

In Testimony Whereof, We have hereunto set our hands and seals, this 7th day of July, 1902, in duplicate.

THE CITY OF INDIANAPOLIS:

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works of said city.

Approved:

CHARLES A. BOOKWALTER,

Mayor of said city.

MERCHANTS' HEAT AND LIGHT COMPANY:

By WILLIAM C. BOBB, President.

Attest:

FREDERIC M. AYRES, Secretary.

And, whereas, Said contract and agreement has been submitted by said Board of Public Works of the city of Indianapolis to the Common Council of said city for its consideration and action thereon; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis that the foregoing contract and agreement, made and entered into on the seventh (7th) day of July, 1902, by the city of Indianapolis, by and through its Board of Public Works, and the Merchants' Heat and Light Company, be and the same is hereby in all things ratified, confirmed and approved, and the said Merchants' Heat and Light Company, its successors and assigns, are hereby granted the rights, privileges and authority as in said contract and agreement set forth and in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works:

G. O. No. 40, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and The Citizens' Heat and Light Company, its successors and assigns, granting authority and permission to use the streets, alleys and public places of and within the city of Indianapolis for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when same shall take effect.

Whereas, heretofore, to wit: On the 7th day of July, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with The Citizens' Heat and Light Company, namely:

THIS AGREEMENT, made this 7th day of July, 1902, by and between the city of Indianapolis, by and through its Board of Public Works, party of the first part, and The Citizens' Heat and Light Company, a corporation under the laws of the State of Indiana, party of the second part, Witnesseth:

That the party of the first part does hereby grant unto the party of the second part, its successors and assigns, subject to any laws and ordinances now in force or hereafter enacted or put in force as police regulations, authority and permission to use the streets, alleys and public places of and within the city of Indianapolis as hereinafter bounded for the purpose of heating water, or steam, and generating electricity, and distributing and supplying hot water, steam and electricity, or either thereof, for heat, light and power, or either thereof, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any thereof, which grant is and shall be upon the following terms and conditions, that is to say:

First. The territory to be occupied by the said party of the second part with its plant shall be bounded as follows, to wit: Beginning at the intersection of Twenty-second street and Central avenue; thence north in Central avenue to Sutherland avenue; thence east in Sutherland avenue to Park avenue; thence northeast in Sutherland avenue to Twenty-seventh street; thence east in Twenty-seventh street to Cornell avenue; thence south in Cornell avenue to Sixteenth street; thence west in Sixteenth street to College avenue; thence north in College avenue to Twenty-second street; thence west in Twenty-second street to the place of beginning.

Second. The station or stations for generating or creating heat, power or light for distribution may be established and maintained by the second party upon ground owned or leased by it at suitable points in said territory adjoining the right of way of the Lake Erie & Western Railroad Company, and all buildings, structures, machinery and appliances shall conform to the fire and building ordinances of said city, and shall be at all times subject to inspection and all reasonable regulations of the Common Council.

Third. Whenever the second party shall desire to construct any appliances for the distribution of heat, power or light, as aforesaid, through the territory to be supplied by such stations, respectively, it shall prepare and place on file in the office of the Board of Public Works of said city maps, plans and specifications of such proposed construction, which specifications shall include all excavations and all underground and overhead apparatus and appliances of every kind and description, showing the exact location of all poles, pipes, conduits, ducts and other appliances, the height above or the depth below the surface of the street, and, in general, where and how such work is to be done, and shall conform in all respects to the provisions of this contract and any ordinances of the Common Council relating to public safety and health, which maps, plans and specifications shall be approved without delay by the said Board of Public Works, and a permit for cutting into the streets, alleys and public places issued to said party of the second part, before such work shall be begun. Alleys instead of streets shall be used whenever practicable. And all poles, wherever erected in the construction of said plant, shall be so placed as to interfere as little as possible with other public uses of the streets, alleys or other grounds, or with public or private interests or conveniences. The Board of Public Works shall have power to designate at what point in the street, alley or public place, shown upon such maps, plans and specifications, the trenches, conduits, poles or appliances used by said second party in the distribution of heat, light or power shall be located. In case of a dispute between any property owner and said second party as to the location of any of the appliances aforesaid, the decision of the Board of Public Works as to such location shall be final.

Fourth. It is also agreed that all the underground wires, conduits, pipes, ducts and appliances used in the construction of said plant shall be placed at such depth that the top and all parts thereof shall be not less than two feet below the surface of the street, alley or public place wherein they are located, and shall be so located and constructed as not to interfere with or disturb existing surface or underground structures, conduits, pipes or other property belonging to other corporations, companies or persons, or sewers or sewer connections; nothing contained herein shall preclude the said city from prosecuting or authorizing any future public work of any character, but in the prosecution of any public work or improvement hereafter the said Board shall have the right, if it deems the same necessary, to require the temporary removal of any wire, pipe, conduit, duct or appliance authorized by this contract to be laid, and the same shall be removed or necessary changes made therein by the said second party so as to conform according to the terms of this contract with the surface grade of any unimproved street, alley or public place ordered to be improved, on the order and requirement of the said Board, and in case of a failure on the part of the said second party to comply with any such order or requirement, then the said Board may make such removal or change, and the necessary cost thereof shall be paid by the said second party to the City Comptroller upon proper demand being made therefor.

Fifth. It is also agreed that all the work of the construction or repair of that part of the second party's plant that is located in any of the streets, alleys or public places of said city shall be under and subject to the supervision of inspectors to be appointed by the said Board of Public Works, the said inspectors to be appointed and begin the inspection and supervision of said work or repair as soon as the said second party shall have completed the excavations therefor, and all the necessary expense for the employment of all such inspectors shall be paid by the said party of the second part to the City Comptroller on demand. The Board of Public Works of said city shall at all times have the right to inspect, superintend and control the construction

of the conduits, manholes and other appurtenances which may be constructed as part of said plant; and the right is hereby reserved to said Board to order any change made from time to time for city purposes, all such changes to be made by the said second party without expense to said city. In case the said party of the second part shall neglect or refuse to obey any instructions of said Board with respect to any alteration to be made, the said Board is authorized to make the same and collect the cost thereof from the said party of the second part.

Sixth. The said company, party of the second part, agrees and binds itself that in the construction or repair of said plant it will not at any time open or encumber more of any street, alley or public place than may be necessary to enable it to perform the work of laying its pipes, wires, cables, conduits, conductors and other appurtenances with proper economy and efficiency, and that no opening of or encumbrance to any of such streets, alleys or public places shall be permitted to remain or continue for a longer period than may be necessary within the judgment of the Board of Public Works; and that it will properly and effectually guard all such openings and encumbrances with such barriers and lights as will prevent the happening of accidents or injuries by reason thereof. The said company, party of the second part, also agrees and binds itself to hold the city of Indianapolis harmless as against any and all damages done by it to the streets, alleys, avenues and public places within such city, in the building and construction of its said plant underground or aerial; that it will restore all streets, alleys, avenues and public places to the same condition after the completion of its work as they were before being cut into or used by it, the said company, all such streets, alleys, avenues and public places to be repaved with the same material with which they were paved before being disturbed by it, or with such material and in such manner as shall be satisfactory to said Board of Public Works; that it will at all times make any and all repairs which may be necessary to any of the streets, alleys, avenues or public places, by reason of the same having been dug into or disturbed in the construction or repair of said plant; that it will not, in such construction or repair, dig, cut into or remove material from the surface or underneath the surface of any such street, alley, avenue or public place without having first prepared and filed with the Board of Public Works maps, plans and specifications, as herein provided, and obtained the consent of the said Board; that it will pay all damages for personal or other injuries that may result from or grow out of any work that may be done by or for it in such construction or repair; that it will indemnify and save said city harmless from any and all liability or expense growing out of or resulting from the construction or repair of any part of its said plant; that it will, upon demand of the City Comptroller of said city, pay any damages which may have accrued to said city and any and all judgments which may have been obtained and rendered against such city on account and by reason of the construction or repair of said plant, or the occupancy by it of any of the streets, alleys or public places in said city; that if the said city shall become involved in any action or suit on account of any act or omission of the said second party in the construction or operation of its said plant, it will, upon notice from said city or its proper officers, appear and defend such action or suit without expense to the said city; and that it will also protect and save said city of Indianapolis harmless as against any and all suits which may be brought by any person or corporation for the infringement of any patent which may be alleged against such corporation, either in the course of the construction or operation of the said plant or system.

Seventh. In the equipment of the stations of the party of the second part it shall employ the most modern and effective appliances for the consumption or suppression of the smoke from its furnaces or other

heating apparatus; and in the distribution of electricity for light or power the most modern and effective equipment and appliances shall be used to prevent damage therefrom.

Eighth. The said party of the second part shall have the right to tap or connect with any sewer in any street, alley or public place occupied by any of the pipes, casings or appliances of the party of the second part for the purpose of draining such pipes, casings and appliances and the trenches in which they are laid, provided plans and specifications showing where and how such tapping or connection shall be made have been first filed with and approved by the Board of Public Works and a permit issued therefor, all of which work shall be done under the supervision of inspectors appointed by said Board, as provided in section five (5) of this contract.

Ninth. Before beginning the work of construction by the party of the second part, it shall execute to the party of the first part, to the approval of its Board of Public Works, a good and sufficient bond in the sum of twenty-five thousand dollars (\$25,000), which bond shall be conditioned for the faithful performance by said company, party of the second part, of each and every stipulation and agreement contained in this contract, and for the carrying out of all the terms and conditions thereof during the entire period and term covered thereby; and the said Board of Public Works shall have the right, at any time during said period, whenever the surety on said bond shall not be deemed ample and satisfactory, or said bond has been impaired by money payments thereon, to require such additional surety thereon as it may deem necessary, and if said company, party of the second part, shall, on written demand of such Board, refuse or fail to furnish such additional surety, then its rights under this contract shall cease and the franchise hereby granted be forfeited, such forfeiture to be enforced in any court of competent jurisdiction.

Tenth. Said second party agrees, unless prevented without fault of its own, that it will, within one hundred twenty (120) days after the execution and approval of this contract, commence to construct such plant, and that it will have such plant completed and ready for operation on or before September 1, 1903. And for the faithful performance of the stipulations on behalf of the party of the second part in this, the tenth paragraph of this contract, the second party shall execute a bond to the approval of the Board of Public Works in the sum of ten thousand dollars (\$10,000).

Eleventh. It is agreed that the annual rate which the second party may charge to the consumers of hot water heat supplied by it shall not exceed seventeen (17) cents per square foot of radiating surface in use by any customer, said charge to be divided according to seasons and time of payment as may be determined by the party of the second part, the radiation to be ascertained by measuring the surface of the radiators or pipes used by the customers for heating.

Twelfth. The rate to be charged by the second party for incandescent electric lighting shall not exceed ten (10) cents per thousand watts, to be paid as may be required by the second party.

Thirteenth. It is agreed that any consumer whose radiation is sufficient, under the regulations of the company, and to whom insufficient heat is supplied to maintain uniformly a maximum temperature within the room where such radiation is supplied of seventy degrees Fahrenheit, there shall be allowed by such company, from the charges against such consumer, a discount justly proportioned to the loss in temperature below said maximum: Provided, however, That there shall be no charge against such consumer for such time, during the months of October, November, December, January, February, March and April, when such temperature shall fall below fifty-five (55) degrees Fahrenheit: And

provided, also, That such discounts shall not be required where the company has not been notified in writing of such insufficiency of heat and given an opportunity to discover the cause, and, if due to the company's service, to remedy the same, nor shall it be required where the cause is due to defective radiation or the violation of the company's rules for receiving and distributing the heat, or to defective construction of building, or to any fault of the consumer.

Fourteenth. It is further agreed, in consideration of the privileges herein granted by the first party, that the second party will pay annually, at the close of each fiscal year of the party of the second part, to the party of the first part, the sum of five (5) per centum of the gross receipts derived by the party of the second part from the furnishing of hot water heating and incandescent electric lighting, under the provisions of this contract. And it is agreed that the party of the second part shall, at the close of said fiscal year, render to the first party a full statement of such gross receipts, verified by the proper officer of said company. In the event that doubt shall arise as to the accuracy of any such statements, it is agreed that the Comptroller of said city shall have access to and the privilege of examining the books of the party of the second part, and determining therefrom the amount of such gross receipts, and the sum by him ascertained shall constitute the basis for said per centum charge.

Fifteenth. All rights, privileges and concessions herein granted to the said company, party of the second part, are expressly limited to a period of twenty-five years from the 1st day of September, 1903, which limitation of time is hereby declared to be one of the chief considerations for the grants herein contained.

Sixteenth. To the end that at the expiration of the said period for which said grant is made there may be no doubts exist as to the respective rights of the parties hereto, it is agreed:

(a) If, at any time not less than three (3) months nor more than six months before the expiration of said term, a new franchise and right to occupy the streets, alleys, avenues and public places of said city, and to supply hot water, steam, electricity or either thereof, for heat, light and power, or either thereof, by means of pipes, conduits, wires and appurtenances overhead, or either or any thereof, shall not have been granted to said company, its successors or assigns by the proper officers of said city, then the said city shall have the option to become the purchaser and owner of all the tangible property of said company, by the payment to the corporation then owning the same the fair cash value of such tangible property as constituting an operating plant and system, and in case the said city, through its proper officers and the said corporation, are unable to agree as to the fair cash value, as aforesaid, of such property, the same shall be determined by a committee of three (3) arbitrators, one of whom shall be chosen by the Mayor of said city, one by the said corporation owner, and the third by the two chosen as above, said third member of said committee to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of the parties to said contract, and the finding of the majority of such committee as to such value shall be binding on both the said city and the said corporation, and the said city shall be bound to pay and the said corporation shall be bound to receive the said amount as the purchase price of said property: Provided, That nothing herein contained shall be so construed as that the said city shall be compelled to purchase said tangible property, or any part thereof, unless, by its officers, it shall elect to have the cash value thereof, as aforesaid, appraised as hereinabove provided, and the Common Council of said city shall, at the proper time, have made the necessary appropriation for such purpose.

If said committee of arbitration is selected and act as above, the charges of such committee for services shall be borne equally by the corporation owner and said city.

(b) If, within three (3) months of the expiration of said period of twenty-five (25) years, this contract and the franchise hereby granted shall not have been renewed or extended by a new contract, ratified by ordinance, and if said city shall not have exercised its optional right to purchase the tangible property of said corporation, the said city shall have the right, through its proper officers, to enter into a contract with and grant a franchise to another company or corporation to operate said property upon such terms as may be fixed by such contract for a period commencing on the date of the expiration of the franchise herein granted, and such company or corporation to which such new franchise may be granted, may become the owner of the said tangible property and have the right to operate the same upon the payment by it, to the company, party of the second part, or to whomsoever may then be the owner of such property, the fair cash value thereof as an operating plant and system, and if said company or corporation to which such new franchise is granted and the corporation owning such property shall be unable to agree as to the fair cash value of said property, as aforesaid, then the same shall be determined by a committee of three (3) arbitrators, to be chosen, one by each of the said corporations and the third by the two so chosen by the parties, said third member to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of said companies or corporations, and the decision of such committee or a majority thereof shall be final and binding on all parties. The expense of such committee, including their compensation, shall be equally borne, one-half by each of said two companies or corporations.

(c) If, at the expiration of said term of twenty-five (25) years, the city of Indianapolis shall not have become the owner of said plant and system, and if the tangible property constituting said plant and system shall not have been sold and delivered to any other company or corporation having a franchise and the right, by a contract with the city, to operate the same, and if this franchise shall not have been renewed or extended as hereinbefore provided, then the said city shall, through its proper officers, proceed to offer by public advertisement, a new franchise for the operation of said plant and system for a term of years, which franchise shall be awarded to the bidder who, being solvent and responsible, offers the most favorable terms for the city, and its citizens, and who will bind himself, themselves or itself, as the case may be, to take the tangible property constituting said plant and system and pay to the corporation then owning the same the fair cash value thereof, as an operating plant, and if the parties can not agree as to the fair cash value of said property, as aforesaid, then the same shall be determined by a committee of three (3) arbitrators to be chosen, one by each of said corporations and the third by the two so chosen by the parties; said third member to be a disinterested and reputable electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his appointment, in the employment of either of said companies or corporations, and the decision of such committee, or a majority thereof, shall be final and binding on the said parties. The expense of such committee, including compensation, shall be equally borne, one-half by each of said two companies or corporations. If at the expiration of this franchise the same shall not have been extended, or said property disposed of as provided for herein, it is expressly understood and agreed that said company, party of the second part, shall not have the right to tear up any street or alley occupied by it for the purpose of taking up any of the underground property belonging to second party.

Seventeenth. The said company, party of the second part, shall give to said city the right to use such poles erected in any part of said city whenever such city shall require the same for the use of the fire alarm or police telegraph or telephone systems of said city.

Eighteenth. To each of the terms, conditions, provisions, stipulations and requirements of this contract, the city of Indianapolis, by and through its Board of Public Works, party of the first part herein, and the said The Citizens' Heat and Light Company, party of the second part herein, by its duly authorized officers and representatives, do fully agree to bind themselves, their successors and assigns.

In Testimony Whereof, we have hereunto set our hands and seals, this the 7th day of July, 1902, executed in duplicate.

THE CITY OF INDIANAPOLIS:

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works of said City.

Approved:

CHARLES A. BOOKWALTER,

Mayor.

THE CITIZENS' HEAT AND LIGHT COMPANY,

By SAMUEL W. SMITH,
President.

Attest:

WIRT C. SMITH,
Secretary.

And, Whereas, Said contract and agreement has been submitted by said Board of Public Works, of said city of Indianapolis, to the Common Council of said city for its consideration and action thereon; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis that the foregoing contract and agreement made and entered into on the 7th day of July, 1902, by the city of Indianapolis, by and through its Board of Public Works, and The Citizens' Heat and Light Company, be and the same is hereby in all things ratified, confirmed and approved, and said The Citizens' Heat and Light Company is hereby granted the rights, privileges and authority as is in said contract and agreement set forth, in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Board of Public Works:

G. O. No. 41, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack along Louisiana street in the city of Indianapolis, being in lieu of and to supersede an ordinance entitled "General Ordinance No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across.

McGill street in the city of Indianapolis," and repealing said last-named ordinance.

Whereas, heretofore, to wit: On the 7th day of July, 1902, James L. Keach filed his petition before the Board of Public Works of the city of Indianapolis, in the following terms:

INDIANAPOLIS, Ind., July 7, 1902.

To the Board of Public Works of the City of Indianapolis:

The undersigned, James L. Keach, of the city of Indianapolis, Marion county, State of Indiana, respectfully petitioning your honorable Board, says that he is now, and for more than a year last past has been, the owner of certain real estate lying immediately south of Louisiana street, immediately east of Missouri street, and immediately west of McGill street, and abutting on said streets in the city of Indianapolis, Marion county, State of Indiana; he further says that heretofore, to wit, on or about the second day of April, 1902, this honorable Board granted to your petitioner the right to locate or have located a private railway switch or sidetrack along Louisiana street, connecting the premises owned by him, as above referred to, with the Terre Haute and Indianapolis Railroad's line of railroad on Louisiana street in said city; and a contract was then made by and between your petitioner and your honorable Board with reference to said switch; and an ordinance was passed by the city of Indianapolis approving said switch and the right to locate said switch; that since said proceedings last above mentioned were had, it has become desirous of locating said switch on a different line:

Now, therefore, to remove all doubt and in lieu of said grant to lay said switch heretofore, your petitioner respectfully prays that your honorable Board grant him leave to locate a switch or sidetrack in and along Louisiana street; the said switch to be about two hundred and fifty feet (250) long, and more particularly described as follows: Commencing at a point in the main track of the Terre Haute and Indianapolis Railroad in Louisiana street, said point of beginning lying eastwardly from the east line of McGill street, produced, thence southwardly on a curved line to a point in the westerly line of McGill street, produced, six (6) feet, more or less, northwardly from the northerly corner of lot twenty-seven (27) in McGill's subdivision of square ninety-three (93) in said city; thence westwardly seventy-five (75) feet parallel with the northerly line of said lot twenty-seven (27), the terminal point being about six (6) feet north of the north line of said lot twenty-seven (27) as shown on the plat of said subdivision. All as shown more particularly by the drawing or plat hereto attached, herewith filed, hereby made a part hereof, and for certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority to lay such switch be granted to him in lieu of the permission granted heretofore on the petition signed by him dated April 2, 1902; and that the same be granted upon such terms and conditions as your honorable body sees fit and proper.

JAMES L. KEACH.

And, whereas, Said petition was granted, and the following agreement entered into, that is to say:

Now, therefore, This agreement made and entered into on this, the 7th day of July, 1902, by and between James L. Keach, of the city of Indianapolis, county of Marion, and State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part, Witnesseth:

That the party of the first part, being desirous of acquiring a right of way for a switch or sidetrack along Louisiana street, in the city of

Indianapolis, Indiana, which is more specifically described in the petition of the said Keach, hereto attached and made a part of this contract, hereby covenants and agrees and fully binds himself, his successors, heirs, legal representatives and assigns, that in consideration of the grant of the privileges and authority herein given, that he will, or cause others to lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles, or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said switch or sidetrack shall be laid on such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval; said sidetrack or switch shall be raised or lowered to conform to any grade, which may, from time to time, be hereafter established, when so ordered in writing by said Board; and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad track or tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects McGill street as projected across Louisiana street, shall at all times be kept improved and in good repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees that whenever public necessity requires the same, and pursuant to the written order of said Board to that effect, to take up and remove said sidetrack or switch; upon failure to so do, upon such notification in writing, given ten (10) days prior thereto, to promptly pay the costs of having the same done, should the city order the same so to be done. And the party of the first part hereby releases all claims for damages, of whatsoever character, that may arise by reason of such removal; and in removing said sidetrack or switch or causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, and on the outside thereof, as the Board of Public Works shall order and direct, and to the satisfaction of the said city of Indianapolis; and in case said sidetrack or switch shall be or become out of repair, or in need of being reconstructed or become in any way defective, of which fact the said Board shall be the judge, it shall be the duty of the said party of the first part to promptly repair or remove the same as directed; and failing in this, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of said party of the first part; and for which expense and costs the said party of the first part shall be liable.

(6) The said party of the first part hereby binds himself to hold said party of the second part and said city harmless from any and all claims for damages accruing out of the existence, maintenance or use of said sidetrack or switch, and pay any judgment, with costs, that may on that account be rendered against it, the said city.

(7) Any violation of any provision of this instrument, by the said party of the first part, or by anyone for him or at his instance or with his permission, shall operate as a forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated at the direction of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and acts amendatory thereof and supplemental thereto; and in consideration of the things hereinbefore set forth and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests in and to said party of the first part, the right, privilege and authority to lay and maintain a special switch or sidetrack along Louisiana street in the city of Indianapolis, Marion county, Indiana, as follows: Commencing at a point in the main track of the Terre Haute and Indianapolis Railroad in Louisiana street, said point of beginning lying eastwardly from the easterly line of McGill street, produced; thence southwestwardly on a curved line to a point in the westerly line of McGill street, produced, six (6) feet more or less northwardly from the northerly corner of lot twenty-seven (27) in McGill's subdivision of square ninety-three (93) in said city; thence westwardly seventy-five (75) feet parallel with the northerly line of said lot twenty-seven (27), the terminal point being about six (6) feet north of the north line of said lot twenty-seven (27), as shown on the plat of said subdivision. All as shown more particularly by the drawing or plat hereto attached, herewith filed, hereby made a part hereof, and for certainty marked "Exhibit A."

And it is further understood and agreed that this agreement rescinds and supersedes an agreement concerning a switch connecting said premises with the said Terre Haute and Indianapolis Railroad, heretofore entered into by the parties hereto on April 2, 1902.

In witness whereof, We have hereunto set our hands, this the 7th day of July, 1902.

JAMES L. KEACH,
Party of the First Part.

CITY OF INDIANAPOLIS:

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works, Party of the Second Part.

And, whereas, Said contract has been submitted by said Board to the Common Council of the city of Indianapolis, Indiana, for its consideration and action: Now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. Be it further ordained that the foregoing contract is in lieu of the contract made and entered into on the 2nd day of April, 1902, by and between said Board and said James L. Keach; and that said ordinance approving said contract, being G. O. No. 22, entitled: "An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street in the city of Indianapolis, Indiana," be and the same is hereby repealed.

Sec. 3. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 42, 1902: An ordinance approving a certain contract granting E. C. Atkins & Company, of the city of Indianapolis, the right to construct a switch, or sidetrack, across the first alley north of South street; across South street and in and along Eddy street, in the city of Indianapolis, Indiana; and fixing a time when same shall take effect.

Whereas, heretofore, to wit: On the 7th day of July, 1902, the Board of Public Works, of the city of Indianapolis, made and entered into a certain contract with E. C. Atkins & Company, of the city of Indianapolis, which contract is as follows, to wit:

Whereas, heretofore, to wit: On the 7th day of July, 1902, E. C. Atkins & Company filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, Ind., July 2, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, E. C. Atkins & Company, respectfully petition your honorable Board, asking permission to construct and maintain one switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street, more particularly described as follows: The center line of said proposed switch to begin at a point in the north line of the first alley north of South street, the said point being 130.41 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the intersection of the south line of the first alley north of South street with the west line of the first alley west of Illinois street.

Also the following described center line of a switch across South street: Beginning at a point in the north line of South street, the said point being 209 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the south line of South street, the said point being six feet east of the west line of Eddy street.

Also the following described center line of a switch along the west side of Eddy street: Beginning at a point in the south line of South street, the said point being six feet east of the west line of Eddy street; thence south parallel with and six feet distant from the west line of Eddy street to the north line of the second alley south of South street, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted.

E. C. ATKINS & COMPANY,

By H. C. ATKINS, Pres.

Now, therefore, This agreement, made and entered into this 7th day of July, 1902, by and between E. C. Atkins & Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part, Witnesseth:

That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across the first alley north of South

street, across South street and in and along Eddy street, in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossings where said sidetrack or switch intersects the first alley north of South street and South street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel: Provided, That no cars shall be operated on that portion of the switch crossing South street between the hours of 5 o'clock a. m. and 12 o'clock p. m.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done; and the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account, be rendered against it or said city.

(7) Any violation of any provisions of this instrument by said party of the first part or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters connected therewith and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street, in the city of Indianapolis, as follows:

The following described line to be the center of said railroad switch across the first alley north of South street beginning at a point in the north line of the first alley north of South street, the said point being 130 40/100 feet west of the west line of Illinois street; thence with a curved line in a southwesterly direction to a point in the intersection of the south line of the first alley north of South street with the west line of the first alley west of Illinois street.

Also the following-described line of railroad switch across South street: Beginning at a point in the north line of South street, the said point being 209 feet west of the west line of Illinois street; thence with a curved line in a southwesterly direction to a point in the south line of South street, the said point being six feet east of the west line of Eddy street.

Also the following described center line of railroad switch in and along the west side of Eddy street: Beginning at a point in the south line of South street, the said point being six feet east of the west line of Eddy street; thence south parallel with and six feet distant from the west line of Eddy street to the north line of the second alley south of South street, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 7th day of July, 1902.

E. C. ATKINS & COMPANY,

By H. C. ATKINS, Pres.,

Party of the First Part.

CITY OF INDIANAPOLIS:

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works, Party of the Second Part.

Whereas, Said contract has been submitted by the Board of Public Works to the Common Council of the city of Indianapolis for its consideration; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Sourbier :

G. O. No. 43, 1902: An ordinance grading certain members of the fire force of the city of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes or said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, that the members of the fire force of the city of Indianapolis, holding the positions of Stokers, Drivers, Hosemen, Laddermen, Linemen, Tower Watchmen and Telephone Operators, are hereby graded, according to their length of service, into three grades, as follows, viz.: All the aforesaid members who shall have served two years at the time this ordinance shall take effect shall constitute the First Grade; all who have served one year shall constitute the Second Grade; and those who have served less than one year shall constitute the Third Grade. Service for one year in either the Second or Third Grade shall entitle any member to advancement to the next higher grade: Provided, That persons who shall be appointed as members of said fire force after serving a full year or more as substitute firemen, shall become members of the Second Grade.

Sec. 2. Each member of the First Grade shall receive a salary at the rate of two dollars and fifty cents per day, or nine hundred and twelve dollars and fifty cents per annum.

Each member of the Second Grade shall receive a salary at the rate of two dollars and twenty-five cents per day, or eight hundred and twenty-one dollars and twenty-five cents per annum.

Each member of the Third Grade shall receive a salary at the rate of two dollars per day, or seven hundred and thirty dollars per annum.

Substitute firemen shall receive a salary of five hundred and forty dollars per annum.

Sec. 3. The annual pay of the officers and members of said fire force, not provided for in section 2 above, shall be as follows, viz.:

The chief of the fire force shall receive a salary at the rate of two thousand four hundred dollars per annum.

The first assistant chief of the fire force shall receive a salary at the rate of sixteen hundred and twenty dollars per annum.

The second assistant chief of the fire force shall receive a salary at the rate of fifteen hundred dollars per annum.

Battalion officers shall receive a salary at the rate of thirteen hundred dollars per annum.

The clerk of the chief of the fire force shall receive a salary at the rate of one thousand dollars per annum.

The superintendent of telegraph shall receive a salary at the rate of fifteen hundred dollars per annum.

The assistant superintendent of telegraph shall receive a salary at the rate of twelve hundred dollars per annum.

Each captain shall receive a salary at the rate of one thousand and twenty dollars per annum.

Each lieutenant shall receive a salary at the rate of nine hundred and sixty dollars per annum.

Each engineer shall receive a salary at the rate of one thousand dollars per annum.

The chief telephone operator shall receive a salary at the rate of nine hundred and sixty dollars per annum.

Provided, however, That the salary or compensation of any officer or member of said fire force, named and provided for in this section, who shall be holding an office or position on the date fixed for the taking effect of this ordinance, shall not be changed or affected by the provisions of this section until his term expires or his office or position is vacated; but all such officers and members shall receive the annual pay or compensation specified and named for them respectively in the ordinance now in force, and, as to such officers and members, the provisions of the ordinance now in force fixing their salaries or compensation, are hereby expressly continued in force until their terms expire or their offices or positions are vacated.

Sec. 4. The salaries and compensations enumerated in and provided for in the foregoing sections of this ordinance shall be paid out of the funds of the city treasury appropriated for such purpose, at the time and in the manner provided by law.

Sec. 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 6. This ordinance shall be in full force and effect from and after the 1st day of January, 1903, after its passage and approval by the Mayor of said city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Fees and Salaries.

By Mr. Wynne (by request):

G. O. No. 44, 1902. An ordinance naming the first alley north of North street, extending from Pennsylvania street to Ft. Wayne avenue, in the city of Indianapolis, Indiana, "Bye street," and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that the first alley north of North street, extending from Pennsylvania street to Ft. Wayne avenue, in said city, shall hereafter be known and designated as "Bye street."

Sec. 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor of said city.

Which was read a first time, and referred to Committee on Sewers, Streets and Alleys.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 16, 1902: An ordinance authorizing the Board of Public Works of the city of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred (\$13,500) dollars for such purpose, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 16, 1902, was then ordered engrossed, read a third time, and passed by the the following vote :

Ayes, 19, viz. : Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes, 2, viz: Messrs. Meyer and Warweg.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time :

App. O. No. 19, 1902: An ordinance appropriating the sum of one hundred and fifty dollars for the Department of Finance, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App O. No. 19, 1902, was then ordered engrossed, read a third time, and passed by the following vote :

Ayes, 21, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

Noes: None.

Mr. Shea moved that G. O. No. 25, 1902, "An ordinance changing the name of Meek street" be taken out of committee's hands and read a second time :

Mr. Moriarity moved to lay Mr. Shea's motion on the table.

Which motion was lost by the following vote:

Ayes, 5, viz. : Messrs. Billingsley, Cooper, Moriarity, Rhodes and Wynne.

Noes, 16, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wysong and President Haldeman.

Whereupon Mr. Shea's motion, that ordinance be taken out of committee's hands and read a second time, prevailed.

On motion of Mr. Shea, G. O. No. 25, 1902, was then ordered engrossed, read a third time, and passed by the following vote :

Ayes, 15, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Wahl, Warweg, Wheeler, Wolsiffer and Wysong.

Noes, 6, viz. : Messrs. Berry, Moriarity, Rhodes, Sourbier, Wynne and President Haldeman.

On motion of Mr. Sourbier the following entitled ordinance was taken up and read a second time.

G. O. No. 36, 1902: An ordinance concerning the prevention of disturbances of public gatherings.

On motion of Mr. Sourbier, G. O. No. 36, 1902, was amended as recommended by committee report.

On motion of Mr. Sourbier, G. O. No. 36, 1902, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Moriarity, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes, 2, viz.: Messrs. Berry and Meyer.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

G. O. No. 38, 1902: An ordinance approving a certain contract granting the Mainland Manufacturing Company the right to lay and maintain a certain switch or sidetrack in the city of Indianapolis, under certain stipulated terms and agreements.

On motion of Mr. Cooper, G. O. No. 38, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes, 4, viz.: Messrs. Berry, Kelly, Wahl and Warweg.

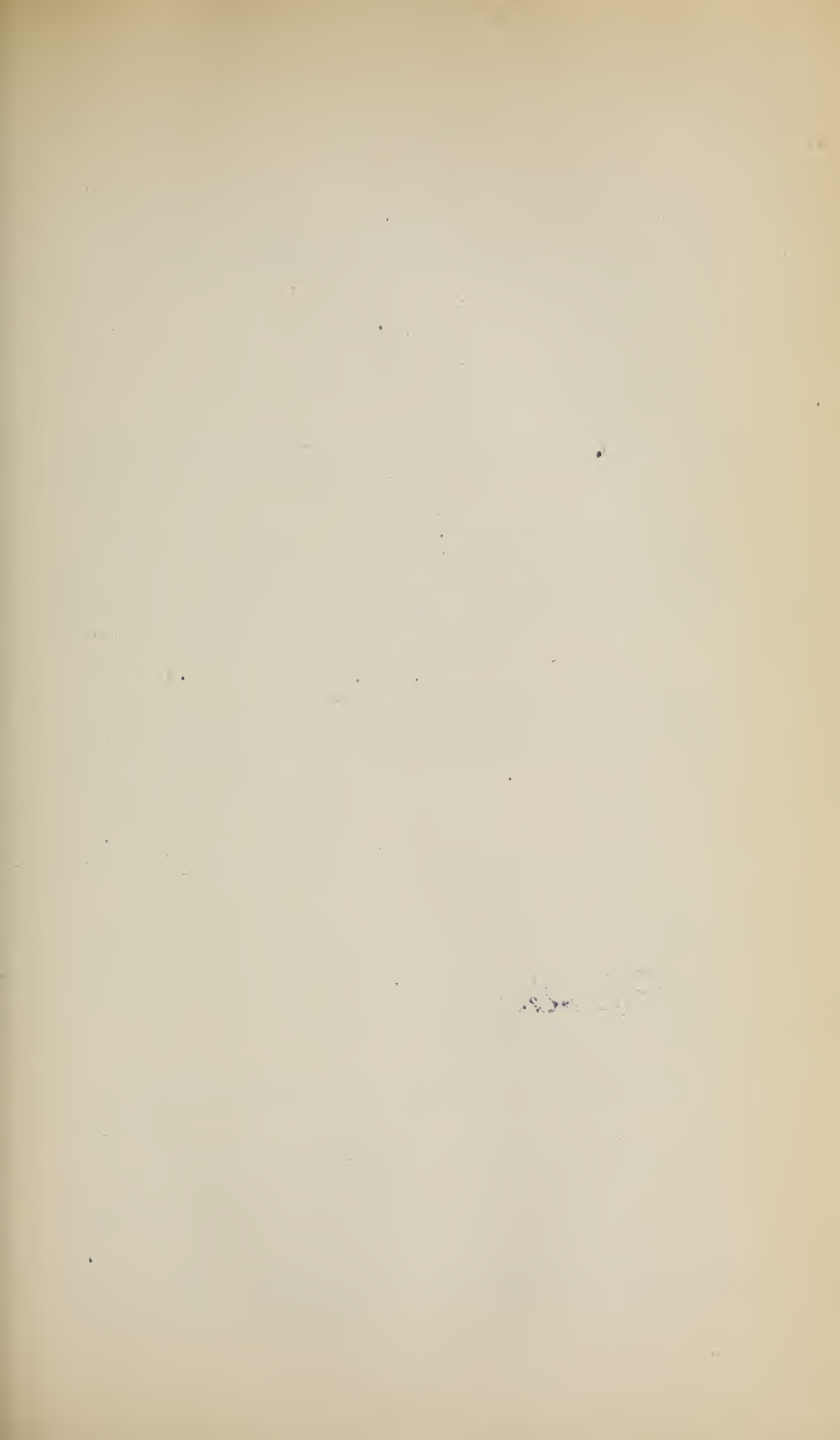
On motion of Mr. Berry, the Common Council, at 9:15 o'clock p. m., adjourned.

H. M. Haldeman

President.

ATTEST:

Charles N. Elliott
City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, July 21, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 21, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 19 members, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Cooper.

The Clerk proceeded to read the Journal, whereupon Councilman Moriarity moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT.

City of Indianapolis,

INDIANAPOLIS, July 12, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen — I have this day signed and approved the following ordinances:

G. O. No. 36, 1902: "An ordinance concerning the prevention of disturbances of public gatherings."

App. O. No. 19, 1902: "An ordinance appropriating the sum of one hundred and fifty dollars for the Department of Finance, and fixing a time when the same shall take effect."

G. O. No. 38, 1902: "An ordinance approving a certain contract granting the Mainland Manufacturing Company the right to lay and maintain a certain switch or sidetrack in the city of Indianapolis, under certain stipulated terms and agreements."

G. O. No. 25, 1902: "An ordinance changing the name of Meek street."

App. O. No. 16, 1902: "An ordinance authorizing the Board of Public Works of the City of Indianapolis to purchase real estate upon which to construct and erect a smallpox hospital and detention pavilion for the purpose of detaining and treating smallpox patients; appropriating the sum of thirteen thousand five hundred dollars for such purpose, and fixing a time when the same shall take effect."

Very truly yours,

CHARLES A. BOOKWALTER,
Mayor.

Which were read and ordered spread on the minutes.

REPORTS, ETC., FROM CITY OFFICERS.

Communications from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, July 21, 1902.

To the President and Members of the Common Council:

Gentlemen—In accordance with the recommendation of the Department of Public Works, herewith submitted, I recommend the transfer of the sum of \$5,000.00 from the appropriation heretofore made for "sprinkling unimproved streets" to the "bridge" account.

An ordinance making the transfer asked for is herewith submitted, and I recommend its passage.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, July 21, 1902.

Mr. Geo. T. Breunig, City Comptroller:

Dear Sir—This department will require additional funds for building and repairing bridges during the remainder of this year, and requests you to recommend that the Council transfer to this fund the sum of \$5,000 from the fund for sprinkling unimproved streets.

There is in the bridge fund \$5,000.10, and outstanding accounts against the same for about \$4,500.00, a balance of about \$500.00, which is wholly insufficient to do what repairing is necessary for the remainder of this year.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, July 21, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith present communications from the Department of Public Safety asking for an increase in the membership of the Police Department.

The annexation of the Town of Irvington and other territory, and the natural increase of the business of said department, makes the appointment of additional patrolmen necessary in my opinion.

I therefore recommend the passage of an ordinance appropriating the sum of \$2,065.50 with which to pay six additional patrolmen.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

INDIANAPOLIS, July 21, 1902.

To the Honorable Board of Public Safety, City of Indianapolis:

Gentlemen—I find that on account of the rapid growth of our city's population and my efforts to give to same its proper protection that I must ask your Hon. Board to increase the membership of our police force by appointing at least six additional patrolmen.

Trusting you will see fit to comply with this request, I thank you beforehand for the favor and remain, Yours very respectfully.

GEO. A. TAFTE,
Supt. of Police.

J. ISAACS, Clerk.

DEPARTMENT OF PUBLIC SAFETY,
Office of the Board.

INDIANAPOLIS, July 21, 1902.

Mr. Geo. T. Breunig, City Comptroller:

Dear Sir—The Board of Public Safety having received the enclosed request from the Superintendent of Police, respectfully requests that you recommend to the Common Council the passage of an ordinance appropriating \$2,065.50 for the maintenance of six additional patrolmen for the five months of the year 1902, beginning with August 1.

Respectfully submitted,

JOHN B. WOOD, Secretary.
THE BOARD OF PUBLIC SAFETY,

Which were read and referred to Committee on Finance.

DEPARTMENT OF FINANCE.

Office of City Comptroller.

INDIANAPOLIS, July 21, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit communication from the Department of Public Health and Charities requesting additional appropriation of \$2,000, to be credited to the "Contagious Disease Fund."

I recommend that an ordinance be passed making the appropriation as requested.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.

INDIANAPOLIS, July 17, 1902.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—I am directed by the Board of Health to inform you that the last appropriation of two thousand (\$2,000) dollars is nearly expended. It will be necessary to have an additional appropriation to meet the expenditures that will accrue.

Smallpox is still prevalent, not as many cases as in the past months, but more at this time of the year than ever before. We have twenty-three

cases reported since the first of this month, which in comparison with former years is more than double the number of the last five years combined for this time of the year.

We had hoped to make the last appropriation of \$2,000 reach the balance of the year, but the number of smallpox cases still existing makes it necessary to have additional funds.

Very truly yours,

EUGENE BUEHLER,
Sec. of Board.

Which were read and referred to Committee on Finance.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Negley, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No 39, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and the Merchants' Heat and Light Company, its successors and assigns, whereby said Merchants' Heat and Light Company, its successors and assigns, is granted the right and authority to enter upon and use the streets, alleys, and public places of, and within the city of Indianapolis, for the purpose of heating water or steam and generating electricity and distributing and supplying hot water, heat, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Made the following report:

Mr. President—We, your Committee on Contracts and Franchises, to whom was referred G. O. No. 39, 1902, beg leave to report that we have had said ordinance under consideration, and we recommend that said ordinance do pass.

H. E. NEGLEY,
J. S. HOLLIDAY,
J. L. McFARLAND,
ED. G. SOURBIER.

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. No. 20, 1902: An ordinance appropriating

the sum of \$362.75 for the Department of Finance, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, July 21, 1902.

Mr. President—Your Committee on Finance, to whom has been referred App. O. No. 20, 1902, has had same under consideration and recommends that the same do pass.

T. A. WYNNE,
FRED W. EPPERT,
B. F. WYSONG,
W. A. RHODES,
JNO. H. CRALL,
JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Holliday, on behalf of Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 44, 1902: An ordinance naming the first alley north of North street, extending from Pennsylvania street to Fort Wayne avenue, in the city of Indianapolis, Indiana, "Bye street," and fixing a time when the same shall take effect.

Made the following report:

Mr. President—Your Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 44, 1902, have given same due consideration, and recommends its passage.

J. S. HOLLIDAY.
T. A. WYNNE,
W. A. RHODES,
ANDREW H. WAHL,
FRED W. EPPERT.

Which was read and, on motion of Mr. Holliday, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By Mr. Wynne:

App. O. No. 21, 1902: An ordinance appropriating the sum of two thousand sixty-five dollars and fifty cents (\$2,065.50) for the Department of Public Safety, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated the sum of two thousand sixty-five dollars and fifty cents (\$2,065.50) for and in behalf of the Department of Public Safety, to be credited to the "Police Pay-roll Fund."

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 22, 1902: An ordinance appropriating the sum of two thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be, and is hereby appropriated the sum of two thousand dollars for the use of the Department of Public Health and Charities, to be credited to the account known as "Contagious Disease Fund.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Wynne:

G. O. No. 45, 1902: An ordinance authorizing and directing the transfer of the sum of five thousand dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Comptroller be, and is hereby authorized and directed to transfer the sum of five thousand dollars (\$5,000.00) from the appropriation heretofore made for the use of the Department of Public Works for sprinkling unimproved streets during the year 1902, to the "bridge" account, and said Department is hereby authorized to expend the sum so transferred for the purposes indicated.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Rhodes:

G. O. No. 46, 1902: An ordinance changing the name of Dewey Avenue to that of Andrews Avenue, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the thoroughfare in said city, extending from 22nd Street north to Fall Creek, and lying between Illinois Street and Capitol Avenue, and known and designated now as Dewey Avenue in said city, be and the name thereof is changed to Andrews Avenue, and hereafter said thoroughfare shall be known as Andrews Avenue.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

MISCELLANEOUS BUSINESS.

Under this order of business, the following resolution was introduced by Mr. Negley :

Resolution No. 6, 1902.

Whereas, The rules of this Common Council as now in effect, make it possible for a period of ten days to elapse after any given meeting of the Council before the printed journal of such meeting is delivered to the members thereof; and

Whereas, The full amount of time permitted, and sometimes more, is taken to have such journal printed and delivered to the members; therefore,

Be it Resolved, by the Common Council of the City of Indianapolis, Indiana. That the standing Committee on Rules is hereby directed to prepare and introduce, at the next regular meeting of this Council, such amendment to the rules as will result in having the proceedings of all meetings of this body printed and delivered to each member thereof within one week from the date of such meeting.

H. E. NEGLEY.

Which was read and adopted by the following vote:

Ayes, 19, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes, 1, viz.: Mr. Berry.

The Clerk read the following communication:

INDIANAPOLIS, IND., July 9th, 1902.

Chas. N. Elliott, City Clerk, City:

Dear Sir—Below find copy of a resolution adopted by the Board of Trade at its meeting held on Monday evening, last:

Whereas, The prosperity of this city is greatly due to its large number of manufacturing establishments; and,

Whereas, Every effort possible should be made to keep and attract such industries; therefore,

Be it resolved, That the Board of Trade urges the City Council to grant speedily, under proper regulations, such facilities as have been requested by the E. C. Atkins Co.

Yours very respectfully,
JACOB W. SMITH,
Secretary.

Which was read and referred to Committee on Railroads.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 20, 1902 : An ordinance appropriating the sum of \$362.75 for the Department of Finance, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App O. No. 20, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes: None.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 39, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and the Merchants' Heat and Light Company, its successors and assigns, whereby said Merchants' Heat and Light Company, its successors and assigns, is granted the right and authority to enter upon and use the streets, alleys, and public places of, and within, the city of Indianapolis, for the purpose of heating water or steam and generating electricity and distributing and supplying hot water, heat, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances, underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 39, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes, 1, viz.: Mr. Berry.

On motion of Mr. Holliday, the following entitled ordinance was taken up and read a second time:

G. O. No. 44, 1902: An ordinance naming the first alley north of North street, extending from Pennsylvania street to Ft. Wayne avenue, in the city of Indianapolis, Indiana, "Bye street," and fixing a time when the same shall take effect.

On motion of Mr. Holliday, G. O. No. 44, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, 2, viz.: Messrs. Sourbier and Wolsiffer.

July 21, 1902.]

CITY OF INDIANAPOLIS, IND.

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On motion of Mr. Berry, the Common Council, at 8:30 o'clock p. m., adjourned.

A. M. Haldeman

President.

ATTEST:

Charles N. Elliott

City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, August 4, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, August 4, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Messrs. Crall and Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT.

City of Indianapolis.

INDIANAPOLIS, July 30, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 20, 1902: "An ordinance appropriating the sum of \$362.75 for the Department of Finance, and fixing a time when the same shall take effect."

G. O. No. 39, 1902: "An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis by and through its Board of Public Works, and the Merchants Heat and Light Company."

G. O. No. 44, 1902: "An ordinance naming the first alley north of North street, extending from Pennsylvania street to Ft. Wayne avenue,

in the city of Indianapolis, Indiana, "Bye street," and fixing a time when the same shall take effect."

Respectfully,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication :

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, August 4, 1902.

To the Members of the Common Council:

Gentlemen—I have the honor to transmit to you herewith a communication from Ferdinand Winter, attorney for the Indianapolis Gas Company, such communication and certified copy of the resolution adopted by the board of directors of the Indianapolis Gas Company enclosed therein, being as follows:

INDIANAPOLIS, July 12, 1902.

Hon. Charles A. Bookwalter, Mayor of the City of Indianapolis:

Dear Sir—I am directed by Mr. Hastings, President of the Indianapolis Gas Company, to deliver to you the enclosed certified copy of a resolution adopted by the board of directors of the company on the 26th day of June, 1902, to discontinue the business of supplying natural gas in the city of Indianapolis, and surrender its rights to use the streets of the city for that purpose from and after the 30th day of September, 1902.

Yours truly,

(Signed) F. WINTER.

EXTRACT.

Whereas, By reason of the diminished quantity and pressure of natural gas, the greater distance it is required to be transported, and the methods of using the same in the city of Indianapolis, it has become a financial and engineering impossibility to continue to supply the consumers in the city under such methods; and

Whereas, This company after exhausting every possible effort has failed to secure any change in such methods from the municipal authorities; and

Whereas, The bondholders of this company, to whom all its assets (including its natural gas fields) have been pledged by a certain deed of trust, have threatened or are now prepared (acting under competent legal advice) to bring an action to enjoin the company from continuing the business of supplying natural gas to said city upon the ground that it is a waste of its assets in violation of its contract obligations with them and with the trustees of the mortgage;

Now, therefore, be it resolved, That this company hereby gives notice to its consumers and to the municipal authorities of the city of Indianapolis that, on and after the 30th day of September next, it will discontinue the distribution and sale of natural gas within the corporate limits of the city of Indianapolis; and

Be it further resolved, That on and after the aforesaid date, viz.: September 30th, 1902, we will surrender to the city of Indianapolis, our rights to use the streets of the city for the distribution of natural gas.

I, Edward Beers, Assistant Secretary of the Indianapolis Gas Company, do hereby certify that the foregoing is a true copy of the records of a

meeting of the executive committee of the board of directors of the Indianapolis Gas Company, held at the New York office of the Company, No. 80 Broadway, on June 26, 1902.

(Signed)

EDW. BEERS,
Asst. Secretary.

State of New York, County of New York, ss:

On this 10th day of July, 1902, before me personally came and appeared Edward Beers, Assistant Secretary of the Indianapolis Gas Company, to me known and known to me to be the individual described in and who executed the foregoing certificate, and duly acknowledged to me that he executed the same as such Assistant Secretary as aforesaid for the uses and purposes therein mentioned.

(Signed) JOHN J. BOGARDUS,

Notary Public, Kings county. Certificate filed in New York county.

I believe that the questions involved are of supreme importance to the people of Indianapolis and that the best interests of the people demand that the right of the Indianapolis Gas Company to discontinue its service to its consumers at the will of said company should be definitely determined. I would therefore recommend that your honorable body authorize the mayor and the city attorney to employ such additional legal counsel as they may deem necessary to represent the city of Indianapolis in the litigation against the said Indianapolis Gas Company.

I have the honor to remain,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and referred to Committee on Judiciary.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

I have the honor to submit to you the following:

"An ordinance authorizing the issue and sale of one hundred (100) bonds of one thousand (\$1,000) dollars each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for boulevard purposes; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale; and fixing a time when the same shall take effect."

I urge upon your honorable body an early consideration of this ordinance. It is the desire of the Board of Park Commissioners to immediately take up the construction, not only of that portion of the boulevard system known as the "Fall Creek Boulevard," but of such other boulevards in other sections of the city as in their judgment should be constructed in the immediate future.

I have the honor to remain,

Yours truly,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and referred to Committee on Finance.

REPORTS, ETC., FROM CITY OFFICERS.

Communications from City Comptroller:

DEPARTMENT OF FINANCE,
Office of the City Comptroller,
INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith present communication from the Department of Public Works requesting additional money for the "Bridge Gang Pay Roll" account.

I recommend that an ordinance be passed transferring \$2,000 to said account from the "Sprinkling Unimproved Streets" account.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.

INDIANAPOLIS, August 4, 1902.

Mr. Geo. T. Breunig, City Comptroller:

Dear Sir—The Board of Public Works respectfully requests that you recommend the transfer of \$2,000 from the fund designated as "Sprinkling Unimproved Streets," to the fund designated as "Bridge Gang Pay Roll." The balance in the latter being at this time \$417.05.

In making this request we would call your attention to the fact that many of the bridges were in bad repair at the beginning of the year, and many are yet in bad condition, some dangerous, necessitating this unusual expense.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Which were read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communications from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS.

Office of the Board.

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis Traction and Terminal Company.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis Northern Traction Company.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Union Traction Company of Indiana.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis, Greenwood and Franklin Railroad Company.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis, Lebanon and Frankfort Traction Company.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying confirming and approving a contract this day made with the Indianapolis and Plainfield Electric Railroad Company.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE.

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis and Martinsville Rapid Transit Company.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE.

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis, Shelbyville and Southeastern Traction Company.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis and Eastern Railway Company.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE.

Board of Public Works.

Which were read and referred to Committee on Contracts and Franchises.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Negley, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 40, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and the Citizens' Heat and Light Company, its successors and assigns, granting authority and permission to use the streets, alleys, and public places of, and within the city of Indianapolis, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and the payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

We, your Committee on Contracts and Franchises, to whom was referred G. O. No. 40, 1902, beg leave to report that we have had said ordinance under consideration since its introduction; and after sufficient investigation we recommend that said ordinance do pass, after amending 3rd line of 1st Section so as to read "7th day of July, 1902."

H. E. NEGLEY,
J. L. McFARLAND,
GUSTAV J. T. MEYER,
ED. G. SOURBIER,
A. H. WAHL,
L. W. COOPER,

Committee.

Which was read and concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 22, 1902: An ordinance appropriating the sum of two thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, July 13, 1902.

To the President and Members of the Common Council:

Your Committee on Finance, to whom has been referred App. O. No. 22, 1902, has had same under consideration and recommends that the same do pass.

T. A. WYNNE,
W. A. RHODES,
JAMES D. MORIARITY,
JAMES E. BERRY,
FRED W. EPPERT,
B. F. WYSONG,

Committee.

Which was read and concurred in.

Mr. Cooper, on behalf of the Committee on Railroads, to which was referred G. O. No. 41, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack along Louisiana street in the city of Indianapolis, being in lieu of and to supersede an ordinance entitled "General Ordinance No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street in the city of Indianapolis," and repealing said last-named ordinance.

Made the following report:

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Your committee to whom was referred G. O. No. 41, 1902, recommends that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,
J. H. BILLINGSLEY,
JNO. WOLSIFFER.

Which was read and concurred in.

Mr. Cooper, on behalf of a majority of the Committee on Railroads, to which was referred G. O. No. 42, 1902: An ordinance approving a certain contract granting E. C. Atkins & Company, of the city of Indianapolis, the right to construct a switch, or sidetrack, across the first alley north of South street; across South street and in and along Eddy street, in the city of Indianapolis, Indiana; and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Your committee to whom G. O. No. 42, 1902, was referred, after a careful investigation, recommends that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,
J. H. BILLINGSLEY,
Committee.

Which was read.

Mr. Wolsiffer, on behalf of a minority of the Committee on Railroads, to which was referred G. O. No. 42, 1902, made the following report:

INDIANAPOLIS, August 4, 1902.

To the President and Members of the Common Council:

Gentlemen—Your minority member of the Committee on Railroads, to whom was referred G. O. No. 42, 1902, has considered said ordinance and recommends that the same do not pass.

JNO. WOLSIFFER.

Which was read.

Mr. Kelly moved that the minority report be concurred in.

Mr. Billingsley moved to lay Mr. Kelly's motion on the table.

Which motion carried by the following vote:

Ayes, 11, viz.: Messrs. Billingsley, Cooper, Eppert, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, 7, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl and Wolsiffer.

Whereupon the majority report, on motion of Mr. Sourbier, was concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Wynne:

G. O. No. 47, 1902: An ordinance authorizing the issue and sale of one hundred (100) bonds of one thousand (\$1,000) dollars each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for

boulevard purposes; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale; and fixing a time when the same shall take effect.

Whereas, It is deemed prudent and advisable and for the best interests of the City of Indianapolis to lay out, build and construct certain boulevards; and,

Whereas, There are not now and will not be sufficient funds in the treasury of the city with which to so lay out, build and construct said boulevards, it is necessary for the City of Indianapolis to borrow the sum of one hundred thousand (\$100,000) dollars and issue and sell its bonds in that amount payable from the general revenues and funds of said city, or the sinking fund of said city, or as may be required by law; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the head of the Department of Finance of said city be and is hereby authorized, for the purpose of procuring means to so lay out, build and construct boulevards, to prepare and sell one hundred (100) new bonds of the City of Indianapolis, Marion County, Indiana, of the sum of one thousand (\$1,000) dollars each, which bonds shall bear date of October 1st, 1902, and shall be numbered One to One Hundred inclusive, and shall be designated "Indianapolis Boulevard Bonds of 1902," and shall bear interest at the rate of three and a half (3½ per cent.) per centum per annum, which interest shall be payable semi-annually on the first day of January and the first day of July of each year, beginning with July 1st, 1903, and said installments of interest shall be evidenced by interest coupons attached to said bonds; said bonds and said coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Company, of Greater New York, State of New York; said bonds shall be signed by the mayor and city comptroller of said City of Indianapolis and attested by the city clerk, who shall affix the seal of said city to each of said bonds; and said bonds shall mature thirty (30) years from the date thereof with coupons attached thereto for the semi-annual installments of interest at the rate of three and a half (3½ per cent.) per centum per annum, payable January 1st and July 1st of each year, beginning with July 1st, 1903, with the first coupon on each bond being for nine (9) months' interest, from October 1st to July 1st, 1903; and said interest coupons shall bear the lithographic fac-simile of the signatures of the mayor and city comptroller; said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Marion County, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with number One, and giving the date of their issuance, their amount, date of maturity, rate of interest and time and place where said interest shall be payable; said bonds shall be substantially in the following form, tenor and effect; all blanks for numbers and dates are to be properly filled before the issuance thereof.

No.

\$1,000.00

UNITED STATES OF AMERICA,
CITY OF INDIANAPOLIS,
MARION COUNTY, STATE OF INDIANA,
INDIANAPOLIS BOULEVARD BONDS OF 1902.

For value received the City of Indianapolis, Indiana, promises to pay to the bearer One Thousand (\$1,000) Dollars in lawful money of the

United States of America, on the first day of, 19. . . . with interest thereon at the rate of three and a half (3½ per cent.) per centum per annum, payable semi-annually on the first day of January and the first day of July of each year hereafter, beginning with July 1st, 1903, the first coupon carrying the interest hereof from date to July 1st, 1903, upon the surrender and cancellation of the proper coupons hereto attached; both principal and interest being payable at the banking house of Winslow, Lanier & Company, of Greater New York, State of New York. This bond is one of a series of one hundred (100) bonds numbered from One to One Hundred each, inclusive, each of the same date, amount, maturity, tenor and effect, which bonds have been issued by the City of Indianapolis in order to raise money to furnish means to expend for laying out, building and constructing boulevards in and pursuant to an ordinance duly and legally passed by the Common Council of said city in strict conformity with, and as authorized, the Act of the General Assembly of the State of Indiana entitled "An Act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency;" approved March 6, 1891; and all acts supplementary thereto and amendatory thereof, and all things and acts required by the laws of the State of Indiana and by said ordinances have happened and have been done and performed in and about the authorization, appropriation, issue and complete execution of this bond, and this bond is certified to be within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and the faith and credit of the City of Indianapolis, Marion County, Indiana, are irrevocably pledged to the payment of the principal and interest of this bond as herein stipulated.

In Witness Whereof, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the mayor and city comptroller, and the seal of said city to be affixed thereto and attested by the city clerk this day of, 1902.

.....
Mayor.

.....
City Comptroller.

Attest:

.....
City Clerk.

[Seal.]

The interest warrants or coupons attached to said bonds shall be authenticated by the signatures of the mayor and city comptroller of said city engraven thereon, which shall, for all purposes be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for the interest on said bond from date until the first day of July 1903.

Sec. 2. That the head of the Department of Finance shall as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each in the Indianapolis Journal and the Daily Reporter, daily newspapers of general circulation, printed and published in the City of Indianapolis, and in the Commercial and Financial Chronicle, a weekly newspaper of general circulation, printed and published in the State of New York, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the city comptroller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said

bonds, the date of opening bids or proposals therefor, the right of the city comptroller to reject any or all bids, the amount of deposit the bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid or proposal shall be presented to the city comptroller sealed and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of Armin C. Koelme, city treasurer, for a sum of money which shall equal two and one-half (2½ per cent.) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The city comptroller shall continue to receive all bids or proposals therefor at the office of the city comptroller until twelve o'clock, noon, on the 1st day of October, 1902, at which time and place and between said hour and two o'clock p. m., of said day, he shall open said bids or proposals. The city comptroller shall award said bonds, or if he shall see fit a part or any number thereof to the highest and best bidder therefor; but said comptroller shall have the full right to reject any or all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of re-offering and re-advertisement of said bonds, as hereinafter provided.

Sec. 4. In case the city comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall re-advertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such re-advertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to re-advertise said bonds for sale until said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds by the comptroller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying same to the city treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to re-advertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the city comptroller, as herein provided, the proceeds of said certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid

and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or at the option of the city comptroller at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the office of the city treasurer of said City of Indianapolis, Indiana, on the 1st day of October, 1902, or upon such other day or days as may be specified in the advertisement or re-advertisement for proposals, or within such time thereafter as may be fixed by the comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder, or bidders, shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 7. The bonds taken and paid for to the satisfaction of the city comptroller shall be binding obligations upon said City of Indianapolis, according to their tenor and effect.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

G. O. No. 48, 1902: An ordinance authorizing and directing the transfer of the sum of two thousand dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the City Comptroller be, and is hereby authorized and directed to transfer the sum of two thousand dollars (\$2,000) from the appropriation heretofore made for the use of the Department of Public Works for "sprinkling unimproved streets" during the year 1902, to the "Bridge Gang Pay Roll" account, and said Department is hereby authorized to expend the sum so transferred for the purposes indicated.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 49, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon certain streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Whereas, heretofore, to wit, on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis Traction and Terminal Company, viz.:

THIS AGREEMENT, made and entered into this 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana, hereinafter called the city, by and through its Board of Public Works, party of the first part, and the Indianapolis Traction and Terminal Company, hereinafter called the Traction Company, a corporation duly organized and incorporated under and by virtue of the laws of the State of Indiana, party of the second part.

WITNESSETH: 1. That said City, under and by virtue of the powers conferred by an act of the General Assembly of the State of Indiana, approved March 6, 1891, entitled "An Act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters connected therewith, and declaring an emergency," and of the act of March 3, 1899, entitled "An Act concerning street railroad companies in cities, the population of which exceeds one hundred thousand, repealing all laws in conflict therewith and declaring an emergency," and of all other powers and authority possessed by it, in consideration of the several agreements of said Traction Company hereinafter contained, does hereby, subject to the conditions herein expressed, authorize and empower said Traction Company, its successors and assigns, and does hereby give and grant consent, permission and authority to said Traction Company, its successors and assigns, upon and after the approval and ratification of this contract by an ordinance of the Common Council of said City, to construct, own, hold, and maintain a single or double track surface street passenger railway system, to be operated by electricity or other improved power, to be approved by the Board of Public Works of said City, with all proper and convenient turnouts, switches, sidetracks, curves, feeder lines, poles and appurtenances which may be necessary to the successful operation of such street railway system in, along and upon the following described streets, alleys, avenues and public places of said City; to wit:

In New York street, between East and West streets;

In Ohio street, between East and West streets;

In Market street, between Illinois street and Capitol avenue;

In Maryland street, between Alabama and Delaware streets, and between Capitol avenue and West street,

In Georgia street, between Delaware and Pennsylvania streets, and Illinois and West streets;

In South street, between East and Delaware streets;

In West street, between Washington and South streets;

In Senate avenue, between Indiana avenue and South street;

In Kentucky avenue, between Morris street and River avenue;

In Capitol avenue, between New York and South streets;

In Pennsylvania street, between Georgia street and Madison avenue;

In Delaware street, between Maryland and South streets;

In Alabama street, between Market street and the Virginia avenue viaduct;

In East street, between New York and Ohio streets;

In Madison avenue, between South and Ray streets;

In Huron street, between Virginia avenue and Shelby street;

In Shelby street, between Virginia and Lexington avenues;

In Lexington avenue, between Shelby and Harlan streets;

In Harlan street, between Lexington and Woodlawn avenues;

In Woodlawn avenue, between Harlan street and Keystone avenue;

In Keystone avenue, between Woodlawn avenue and Prospect street;

In Prospect street, between Virginia and Madison avenues;

In Morris street, between Madison avenue and West street and Kentucky and River avenues;

In West street, between New York street and Indiana avenue;

In Rural street, between Roosevelt street and Urbana avenue;

In Urbana avenue, between Rural street and Brookside park;

In Beech street, between Roosevelt street and Hillside avenue;

In Nineteenth street, between Hillside and Central avenues;

In Twenty-second street, between Central avenue and the second alley west of Illinois street;

In Thirtieth street, between Northwestern avenue and the bridge across White river in said street.

The streets, avenues and other public places herein named are intended to be streets, avenues and public places heretofore and now popularly known by the names herein mentioned, whether such names are in fact the legal designations of such streets, avenues and public places or not.

2. Said Traction Company, as part of the consideration for the grant herein made expressly disclaims any right to use any street, avenue, alley or public place in said City for the maintenance and operation of its street railway system, except such as is granted or provided to be granted to it in this contract, and agrees to and does hereby surrender absolutely to the said City all franchises and rights to the use and occupancy of any of the streets, avenues, alleys and public places of such city owned, held or claimed by said company within the corporate limits of such City, or in which said company has heretofore claimed or now claims any interest.

3. Said Traction Company shall not have the right to build or operate any line or part of a line of street railway upon any of the streets, avenues, alleys or public places of the said City except such as are specifically named herein, and such as it may acquire from the Indianapolis Street Railway Company as hereinafter provided, until permission and authority so to do have been granted by the Common Council of said City, which permission and authority, to be effective, must be granted by ordinance or resolution, which must be spread at length either upon the records of said Council or recorded in the book generally used for keeping records of ordinances and resolutions; and none of such lines of street railway on any of the streets, alleys, avenues or public places specifically aforesaid mentioned shall ever be extended or prolonged in the same general direction or otherwise in or along any such street, alley, avenue or public place or any extension thereof which may hereafter be made, without the permission and authority of said Common Council granted in manner and form as aforesaid; but said Traction Company, with the consent of the Common Council, and when and as permitted by the Board of Public Works of said City, may extend its own lines or construct new lines connected therewith or with the lines of other street railway companies in said City to such point at the corporate limits of said City or within such corporate limits, and upon such streets, avenues, alleys and public places of said City as shall be designated by said Board of Public Works in order to afford additional street car facilities to the inhabitants of said City or to form continuous lines by means of the railway system of the said Traction Company along or in connection with the lines or parts of lines of any other street railway company occupying said streets, avenues, alleys and public places or parts thereof, by which any suburban or interurban street railway company which may be permitted by said Board of Public Works and Common Council so to do may operate its cars to and from the central points in said City designated by said Board of Public Works and Common Council as its terminals; and all future extensions, new routes or lines laid, maintained or operated shall be upon the terms and conditions, and subject to the obligations and provisions of

this contract herein prescribed, as to the time and construction and operation and police control, as to routes and lines herein specifically designated, and said terms, conditions, provisions, restrictions and obligations shall apply to all and singular the routes or lines of street railway of the said company, now or hereafter laid, maintained or operated beyond the corporate limits of said City which have been or may from time to time hereafter be brought within such corporate limits by annexation or otherwise, as and when the city limits are extended to embrace such lines, and the right to maintain or operate within such city any such new lines, extensions or annexed lines shall expire absolutely, as herein provided as to existing routes and lines hereinbefore specifically designated—it being distinctly agreed by and between said parties, that at the expiration of the term for which this franchise is granted, the right of said Traction Company, its successors or assigns, to operate a street railway system upon any line or lines within the boundaries of said City, as such boundaries shall then exist, shall absolutely cease.

The operation and use of any line or part of a line of street railway which is hereafter constructed may be discontinued by the said company, party of the second part, only upon the consent and authority of the Board of Public Works of said City having been first obtained, which consent and authority shall be entered at length upon the records of said Board: Provided, That in case of such discontinuation, the said company shall restore the street to good condition, improving the said part so vacated with the same material with which the remainder of such street is improved.

4. The tracks constructed by said Traction Company shall be laid and maintained so that the center line thereof in case of a single track or the center line of the space between the tracks in case of a double track shall be the center line of the street; they shall be of the same gauge as the tracks of the Indianapolis Street Railway Company and single or double tracks according as the tracks of the Indianapolis Street Railway Company of which they are extensions, are single or double tracks, and in other respects shall be so constructed and maintained as that they may be physically connected with the tracks of the Indianapolis Street Railway Company at intersecting points: Provided, however, that if said Traction Company shall desire to lay a single track in extension of one track only of an existing double track line, it may do so with the consent of the Board of Public Works, and in that case said single track need not be laid in the center of the street, but may be extended on the line of the track of which it is a prolongation.

Said Traction Company shall have the right to connect its street railway tracks with any and all terminals, stations, power and car houses and other buildings and structures which may be owned or used by said Traction Company in the operation of its said street railway system, and having obtained the consent of the Indianapolis Street Railway Company thereto, shall connect its system of street railways with the system of street railways in said City of said Indianapolis Street Railway Company where the lines of said Traction Company intersect the lines of said Indianapolis Street Railway Company, and at other convenient points in such a manner as that cars operated on the system of either said Traction Company or Indianapolis Street Railway Company may pass therefrom to and be operated upon the system of the other company, and may also connect its said system with any power or car houses or other building of said Indianapolis Street Railway Company, the use or possession of which said Traction Company may have by arrangement with said Street Railway Company.

5. The consent, permission and authority of said City are hereby given to said Traction Company, its successors and assigns, to sell, lease or otherwise dispose of the system of street railways which may be constructed by it in any of the streets hereinbefore described and in any

street or streets of said City in which it may hereafter be permitted to construct lines of street railway and any and all terminals, power and car houses and any other property of said Traction Company, to the Indianapolis Street Railway Company, and thereupon the street railways of said Traction Company, with the terminals, power and car houses and other property so purchased, leased or otherwise acquired by said Indianapolis Street Railway Company, shall and may be maintained and operated by said company in connection with and as a part of its system of street railways in said City; and consent, permission and authority are also given to said Traction Company, its successors and assigns, to purchase, lease or otherwise acquire from the Indianapolis Street Railway Company, or by running or operating contract with said company to obtain the use of all or any part of the system of street railways, power and car houses and other property of said street railway company, and thereafter to maintain and operate the system of street railways and other property or part thereof so acquired, in connection with its own system of street railways, as one system of street railway for and during the term limited by this contract for the maintenance and operation of its own system of street railways, and with the benefit of all the provisions, privileges and immunities of the contract under which said Indianapolis Street Railway Company is operating in said City, as well as of this contract, but subject, except as in the contract otherwise provided, to all of the obligations and conditions of said contract under which said Indianapolis Street Railway Company is operating.

6. Said Traction Company, in consideration of the grant hereby made, undertakes and agrees within twelve months from the date hereof, to construct and equip ready for operation a double track street railway on the parts of Ohio street, from Massachusetts avenue to Capitol avenue; Capitol avenue from Ohio street to Louisiana street; Georgia street, from Capitol avenue to Illinois street, and from Pennsylvania street to Delaware street; and Delaware street, from Georgia street to Maryland street, above described, and subject to the consent of the Indianapolis Street Railway Company to connect the same with the tracks of said Indianapolis Street Railway Company in said streets, and also to extend and equip ready for operation double track street railways on such of the parts named in section one hereof of the streets, avenues and alleys within the district bounded by Ohio street, Capitol avenue, Georgia street and Delaware street, as are not occupied by tracks of said Indianapolis Street Railway Company, and to connect the same directly or by suitable curves with said line in Ohio street, Capitol avenue, Georgia street and Delaware street, and, with the consent of said Indianapolis Street Railway Company, with the tracks of said company within the district bounded by said last-mentioned streets and avenue, and extending therefrom in such manner as to afford in connection with the tracks of said Indianapolis Street Railway Company within and without said district, a line or lines of street railway by which the cars of all suburban and interurban railroad companies which are permitted so to do by the Board of Public Works and Common Council of said City, may pass in going to and from the central points or terminals in said City designated for said suburban or interurban railroad companies, without using lines upon streets within such district which in the opinion of the Board of Public Works should not be used for that purpose, and so as to lessen the congestion of the streets within said district by the cars of such companies.

Said Traction Company shall as and when required by the Board of Public Works construct at any time after three and within five years from the date hereof, and thereafter maintain and operate a railway as herein provided in any or all of the parts of New York street from East street to West street, West street from Washington street to South street, South street from Delaware street to East street, and East street

from South street to Washington street, and from Ohio street to New York street, and, with the consent of the Indianapolis Street Railway Company, connect the same in said streets and avenues with the tracks of the Indianapolis Street Railway Company therein; or if said line be not constructed in all the parts of streets and avenues hereinbefore described, the line as constructed therein shall be connected with the line constructed in the parts hereinbefore described of Ohio street, Capitol avenue, Georgia street and Delaware street. In either case said Traction Company may at any time, and shall, as and when required by the Board of Public Works at any time after three and within five years from the date hereof, extend single or double track street railway lines in the streets and avenues within the district bounded by the streets and avenues occupied by said line and connect the same with its own tracks, and, with the consent of the Indianapolis Street Railway Company, with the tracks of that company within said district, and also with said line, which shall also be connected, subject to the consent of the Indianapolis Street Railway Company, by suitable curves and switches with all the tracks of said latter company which are intersected by said line, so that by means of said line the cars of all suburban and interurban street railroad companies may pass to and from the central points and terminals designated for the use of such companies without using any streets or parts of streets within said district which in the opinion of the city authorities should not be used.

7. Said Traction Company in further consideration of the grant hereby made, undertakes and agrees within three years from the date hereof to construct and equip and thereafter operate street car tracks and lines of such character as shall be agreed upon between the Board of Public Works and said company, in Rural street between Roosevelt street and Urbana avenue, Urbana avenue between Rural street and Brookside park, Beech street between Roosevelt street and Hillside avenue, Nineteenth street between Hillside and Central avenues, Twenty-second street between Central avenue and the second alley west of Illinois street, and in Thirtieth street between Northwestern avenue and the bridge across White river in said street; and in Prospect street between Virginia and Madison avenues, Morris street between Madison avenue and West street and Kentucky and River avenues, and West street between New York street and Indiana avenue, and, the Indianapolis Street Railway Company consenting thereto, to connect the same with the tracks of said company in said streets and avenues and intersecting streets and avenues, so as to form with the tracks of said railway company two substantially east and west lines, one in the northern and the other in the southern section of the City.

Said Traction Company further undertakes and agrees that when Bismarck avenue shall be extended to the Crawfordsville pike and the bridge over White river, known as the Emerichsville bridge, shall be reconstructed so as to be adapted to and safe for street railway use, it will, with the consent and permission of said City, construct and equip and thereafter operate or procure to be operated street car tracks and lines in said Bismarck avenue between the terminus of the tracks of the Indianapolis Street Railway Company now in said avenue and the Crawfordsville pike, and in the Crawfordsville pike by way of said bridge to Eighteenth street in Riverside park, connecting the same with the tracks of the Indianapolis Street Railway Company, if said company shall consent thereto.

Said Traction Company further undertakes and agrees, within three years from the date hereof, to construct and equip and thereafter operate a street car track or tracks and line of such character as shall be agreed upon between the Board of Public Works and said company, in Huron street between Virginia avenue and Shelby street, Shelby street between Virginia and Lexington avenues, Lexington avenue between

Shelby and Harlan streets, Harlan street between Lexington and Woodlawn avenues, Woodlawn avenue between Harlan street and Keystone avenue, and Keystone avenue between Woodlawn avenue and Prospect street, and, the Indianapolis Street Railway Company consenting thereto, to connect the same with the street car tracks of said company in Virginia avenue and Prospect street.

8. Said Traction Company further undertakes and agrees to construct or procure to be constructed within eighteen months from the date hereof, and thereafter during the term of the maintenance and operation of its said system of street railways to be maintained and operated in connection with such system a suitable and commodious passenger terminal in said City at a point within the territory bounded by New York, Delaware and Georgia streets and Capitol avenue, the tracks and train sheds of which terminal, together with temporary waiting and baggage rooms shall be constructed and ready for use within twelve months from the date hereof; which said passenger terminal shall be accessible to any suburban or interurban railway company directly or by the lines hereinbefore provided to be constructed from the line which said company shall be permitted by the Board of Public Works and Common Council of said City to use in going to and from its central point and terminal in said city, and to permit said terminal to be used by said suburban or interurban railway company for all of the purposes of passenger traffic for which the same may be permitted to be used by the Board of Public Works and Common Council of said City, and under such reasonable regulations as may be prescribed by said Traction Company, without discrimination in favor of or against or among or between any of said companies, and for such compensation as shall be agreed upon, or upon failure of agreement, as shall be fixed in the manner prescribed in said act of the General Assembly of March 3, 1899, for fixing the compensation to be paid by such suburban and interurban railway companies for the use of the tracks of the Traction Company. The right to such use by any suburban or interurban company shall be upon condition that the compensation agreed upon or fixed by arbitration for such use, shall be paid as and when it becomes due and payable, and that such reasonable rules and regulations shall be conformed to, and that for failure to so pay, or to conform to such rules and regulations, and so long as such failure shall continue, the suburban or interurban company so failing, may be excluded from such use.

9. And said Traction Company also agrees and binds itself, its successors and assigns, that it will permit the use of its track or tracks by any incorporated suburban or interurban railroad company authorized by the said act of March 3, 1899, from the corporate limits, or from the nearest connecting point within the corporate limits of said City of Indianapolis to some central point and terminal in such City for the purpose of discharging and receiving passengers, with the right of such company to run its cars thereon to some loop and return thereon out of said City whenever such use has been permitted by the Board of Public Works and Common Council of said City, by contract approved by ordinance, and the right is hereby reserved to the said Board of Public Works and Common Council to establish such central point and terminal where such passengers shall be received and discharged, and to designate the track or tracks to be used by said suburban or interurban railroad company in going to and from such central point, so to be established as aforesaid in such City.

That such use of said track or tracks shall be upon such conditions and under such regulations as the Board of Public Works and the Common Council of such City shall prescribe, and the terms as to compensation and the question as to the furnishing of power and the maintenance of service shall be determined in conformity to the provisions of section two (2) of the act entitled "An Act concerning street railroad

companies in cities the population of which exceeds one hundred thousand," hereinbefore referred to: Provided, That nothing herein contained shall be so construed as to in any wise abridge or restrict the powers now had and held by said Board of Public Works and Common Council to exercise jurisdiction over the streets, alleys, avenues or bridges of said City, or to exercise its power to contract with other companies or corporations concerning the occupation or use of the same.

10. It is also agreed by and between the parties hereto that during the period for which this franchise is granted said Traction Company shall charge and receive the following rates of fare and no more: For each passenger over the age of five (5) years who shall pay a cash fare, the sum of five cents, which cash payment shall entitle such passenger to ride to the end of the line on which he has taken passage, or, at the option of the passenger, he may demand and receive from the conductor of the car upon which he first took passage a transfer ticket without additional charge, which fare and transfer ticket shall entitle such passenger to ride upon said car upon which he has taken passage to the point where said line first intersects the line to which such passenger desires to be transferred, which shall be plainly indicated on said transfer ticket, and after arriving at said point of intersection such passenger may take passage on any car on the line indicated on his said transfer ticket, and on the surrender thereof to the conductor of such car shall be permitted to ride to the end of the last named line: Provided, that any such passenger holding such transfer ticket, must take passage on the line indicated therein within the distance of one square from the point of intersection aforesaid, upon the first car leaving such point after he has left the car on the line on which he first took passage; and provided, further, that if the cars of the line upon which such passenger first takes passage and those of the line to which he is transferred run upon the same track from the point of their intersection for a distance to a point where such lines diverge, then any such passenger holding any such transfer ticket may ride on the first named line either to the point of intersection as aforesaid, or at his option, may proceed in said car to the said point of divergence between said lines, where he may effect the transfer, under the restrictions and regulations aforesaid, but in no case shall a transfer authorize repassage over any part of tracks which has already been passed over upon the same trip.

Every passenger car run and operated by said company, party of the second part, on any of its said lines shall be provided with a conductor, who shall collect fares and attend to the convenience and comfort of the passengers upon such car. Each of such conductors shall constantly have in his possession an ample and adequate supply of tickets, to be sold and delivered to all passengers desiring the same, and said company shall charge and receive for the same during the period for which this franchise is granted the following rates, and no more; for six of such tickets, twenty-five (25) cents; for twenty-five (25) of such tickets, one dollar (\$1.00).

Any one of such tickets delivered or tendered by any person to the conductor of any such car shall entitle the person so delivering or tendering the same to ride the same distance and to the same privileges of transfer, and to all other privileges as though such person had paid to any such conductor the cash fare of five cents as aforesaid.

If any such passenger on any such cars shall desire to purchase tickets from the conductor thereof, and shall tender the sum of twenty-five (25) cents for six tickets or one dollar for twenty-five tickets, and such conductor, by reason of not having such tickets in his possession or for any other reason, shall fail to deliver such tickets on such demand or request therefor, then such passenger shall not be compelled to pay a cash fare, but shall on demand be carried without charge to his destination with right of transfer: Provided, that if, before he arrives at

his final destination, any conductor shall tender said passenger the tickets first demanded by him at the rate herein prescribed, he shall be compelled either to purchase said tickets and surrender one of the same to said conductor for his passage, or pay a cash fare therefor.

It is expressly agreed and understood, however, that the right of said Traction Company to demand and receive the rates of fare herein prescribed is dependent upon the making and continuance in force of an arrangement between said Traction Company and the Indianapolis Street Railway Company whereby tickets issued by either company will be received in payment of fares by the other, and the payment to either company of a fare in cash or by ticket will entitle the passenger to a continuous ride with the same right to a single transfer from a line of one company to a line of the other as if both lines belonged to the company to which the fare was paid or by which the transfer was issued.

11. It is also agreed by and between the parties hereto, that the cars to be run and operated by said Traction Company, shall be propelled by electric power only, provided that the City hereby reserves to its Board of Public Works and Common Council the right to require by order and ordinance that such methods of propulsion shall at any time be introduced as will at all times during said entire period insure to the citizens of said City first-class and efficient street railway service, it being the intention of the parties hereto, and is so agreed that if by reason of inventions and discoveries during the period covered by this franchise some other motive power superior to electric power shall come into use, and be adopted generally in other cities of substantially the same size of the City of Indianapolis, such improved motive power shall, upon the order and direction of the Board of Public Works and Common Council of said City, expressed in an order and ordinance duly passed and recorded, be adopted by said Traction Company, and used by it in the propulsion of its cars in said City, to the end that the street car service of said City may always throughout said period be first-class and efficient as aforesaid.

The electric system used in such propulsion shall be the overhead system now in use in said City, unless some other system shall be mutually agreed upon, or shall be required to be introduced as hereinbefore provided. The entire system used by said Traction Company and all the devices, means and apparatus used in the supply, application and use of the propelling power in all respects which shall in any manner affect or endanger the safety of the public, shall at all times be kept open to the inspection of and under the supervision of the Department of Public Safety of said City. When and as often as may be required by said Department of Public Safety, said Traction Company shall furnish to said Department a statement showing the amount of electro-motor force used and the strength of current conveyed or used upon its wires; and said Department shall at all times have the right to inspect and test the same, and order and require any such changes therein as may be necessary to insure, as far as possible, the safety of the public or prevent damage to any property; and the same powers are reserved to the said Department of Public Safety in case, during the period of this grant, other and improved motive power shall be introduced as hereinbefore provided.

12. Said Traction Company shall pave the space between all rails, including the space between its tracks where there are double tracks, switches or side-tracks, and for a distance of eighteen (18) inches on the outside of the outside rails of its tracks, and shall make all necessary repairs in said space, under specifications both as to material and manner as may be provided by the Board of Public Works, and shall repave the same when necessary and ordered by the said Board, and keep the same in repair, said paving and repairing to be done under specifications, both as to material and manner, as may be provided by the said Board, and

under the supervision of the City Engineer of said City; and said company shall also keep in repair that part of the floors of all bridges or culverts crossed by any of its tracks which is situate between the outer rails of said tracks and for a distance of eighteen (18) inches on the outer side of such outer rails, and also the space between the tracks where there are double tracks; and in case of failure on the part of said company to make any such improvement or repairs as aforesaid, either to streets, avenues or alleys or bridges as herein provided, upon reasonable notice by said Board, then the said Board of Public Works shall have the right to proceed to make any such improvement or repairs, and the cost of making the same shall be paid by said company to the City on demand, and the collection thereof enforced as any other valid debt.

And it is also agreed by and between said parties, that the Traction Company shall at all times during the period of this franchise keep on deposit in the city treasury, to the credit of the said Board of Public Works, the sum of one thousand dollars (\$1,000), to be designated as an Emergency Fund. Whenever, in the opinion of said Board of Public Works, an emergency arises for the immediate repair of any dangerous defect found to exist in that part of any street, alley, avenue or public place required by this contract to be kept in repair by said company, and the said company has failed on notice to immediately repair the same, the said Board shall cause said repair to be made at once, and if said company shall not promptly pay the bill for the cost of such repairs, when made out and presented at the office of said company in said City, then said Board may draw the amount of such bill from said emergency fund, which fund shall be reimbursed by said company without any delay and kept up to said amount of one thousand dollars as aforesaid.

This provision as to an emergency fund is in addition to all other provisions herein contained on the subject of repairing streets, and is not intended to modify or change any other provisions or penalties of this contract concerning the same.

13. In any case where the tracks, side-tracks, switches or turn-outs of any street railway line or lines of the said Traction Company are situated on any street, alley, avenue or public place in said City, and the said Board of Public Works shall by resolution order the improvement of that part of any such street, avenue, alley or public place not lying between the outside rails of any such tracks, side-tracks, switches or turn-outs, nor within eighteen inches on either side of such outer rails, and shall let a contract for the improvement of any such part of any such street, avenue, alley or public place, then the said company agrees and binds itself, its successors and assigns, that it will, on the request of said Board of Public Works, proceed to improve that part of such street, avenue, alley or public place that is situated between the outer rails of such outside tracks and the space between tracks where there are double tracks, side-tracks, switches and turn-outs, and within eighteen inches of said outer rails of such outer tracks, in the same manner and with the same material and under the same specifications that the improvement of the other part of such street, avenue, alley or public place is being made by the contractor to whom such contract has been awarded. That it will proceed with such improvement under the direction of the Board of Public Works and City Civil Engineer, with the same diligence that is shown by the said contractor, so that the said improvement to be so made by the said company shall be completed when the improvement of the other part of such street, avenue, alley or public place shall have been completed by any such contractor: Provided, That by agreement between said Board of Public Works and the said company, the said improvement to be made by said company may be constructed of other approved material under the order and supervision of said Board.

If in any such case the said improvement to be made by said company of the part of any such street, avenue, alley or public place aforesaid shall not be completed in accordance with the orders and specifications of said Board within twenty (20) days after the completion of the improvement of the other part of such street, avenue, alley or public place made by such contractor, then the said Board of Public Works may cause the unfinished part of said improvement to be finished in accordance with the specifications for such improvement theretofore made, and the said company, party of the second part, agrees and binds itself to pay to said City the full amount of the cost of such improvement, together with all costs of advertising and all other expenses growing out of its failure to complete such improvement within the time aforesaid.

14. It is also agreed by and between the parties hereto, that at all times during the period of the franchise hereby granted, the said City, through its Board of Public Works, may require such reasonable extensions of the several lines of street railway of the party of the second part, or the construction of all such new lines as may be necessary for the efficient operation of such railway and for the convenience of the public.

Whenever it shall appear to the said Board of Public Works, either from the petition of persons residing in any part of said City or otherwise, that the public interests demand the extension of any line of street railway already in operation, or the construction of a new line in and upon any streets, alleys, avenues or public places of said City, the said Board of Public Works shall cause written notice to be given to the President, Secretary, General Manager or Superintendent of the said company, requiring said company, by its representatives, to appear before said Board on a day certain to be named in said notice not less than five days after the service of such notice, and show cause why the proposed extension should not be made or such proposed new line should not be constructed. The said notice shall contain a description of the streets, alleys, avenues or public places on or through which said extension of new line is proposed to be made or constructed. On the day and at the time named in such notice, said Board of Public Works shall give to the said company, party of the second part, if its representatives so desire, a full hearing on the question as to whether such proposed extension or the construction of such new line is necessary, either for the efficient operation of such railway or for the convenience of the public, and may be reasonably required. If the said company, party of the second part, shall not appear before said Board at the time named in the said notice, such Board may act upon such evidence or information as it may have from any source.

If after hearing the representatives of said company at the time named in such notice, if any of such representatives appear, or if they do not appear, after advising itself from any other sources of information, it should appear to the said Board that the best interests of the public require such extension to be made or such new line to be constructed, and that the same may be reasonably required, it shall make an order requiring any such extension to be made or any such new line to be constructed, and in such order shall fix the time within which the said extension shall be made or such new line shall be constructed, which period of time so fixed shall in all cases be of sufficient length that the said company, party of the second part, by the exercise of reasonable diligence, may be able to make such extension or construct said new line within such time. The said Board shall cause written notice of any such order to be given to the said company, and if the said company shall fail or refuse to make such extension or construct such new line within the time fixed by said order, it shall forfeit to said City the sum of fifty dollars (\$50.00) for each day that the completion of such extension or new line is delayed beyond said period.

15. It is hereby distinctly agreed and understood by and between the parties hereto, that the City of Indianapolis, through its Board of Public Works, reserves the right at all times during the period of the franchise hereby granted to exercise such reasonable control over such company, party of the second part, and the operation, maintenance and construction of its lines as will secure efficient and first-class service, and nothing contained in this contract shall be so construed as to abridge or restrict said right so reserved.

16. Said Traction Company agrees and binds itself, its successors and assigns, to operate or procure to be operated all its various lines of street railway in said City during the entire period for which this franchise is granted in such manner as to render to the public at all times first-class and efficient service; that its motive power shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish, at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or, subject to the approval of the said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life-guards, and with a sufficient number of electric bells, connections and buttons or knobs so that passengers may, without inconvenience, by the use thereof notify the conductor having charge of any such car of their desire to leave the same at the proper crossing; that each of such cars shall have thereon the name of the line or point of destination in letters of such size as shall be prescribed by the said Board of Public Works, so that the same may be readily discerned and read by persons of ordinary eyesight, and that at night each of such cars shall have displayed on the front end thereof the name of the line to which it belongs to its point of destination, which name or point shall be so illuminated or displayed as shall be prescribed by said Board of Public Works, that it shall be readily and easily seen and read by persons of ordinary eyesight; that the tracks of said lines shall at all times be kept in repair, provided with the most modern and improved rails, of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of said City to order any needed repairs to said tracks or roadbed, or cars, or appliances, and the said company, party of the second part, agrees to comply with all such orders.

It is also agreed by and between the parties hereto, that the said company, party of the second part, shall at all times during the period of this grant, run and operate or procure to be run and operated upon and over each of its said lines a sufficient number of first-class and commodious passenger cars to accommodate the public.

The intervals between the running of cars on the several lines aforesaid shall be so arranged and changed from time to time as may be necessary to accommodate public travel thereon. The Board of Public Works of said City shall at all times have the right, by appropriate order, to prescribe such reasonable regulations as will insure compliance with this provision.

In case the said company, party of the second part, should fail to comply with any of the foregoing agreements and stipulations concerning the motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning

alarm bells, life-guards, rails or roadbed, or any other stipulation contained herein concerning the operation, maintenance or construction of its lines of street railway, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, then said company shall forfeit to said City the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected in a suit on the bond hereinafter required to be given by said company, or otherwise, as said Board of Public Works may elect: Provided, That nothing contained herein shall be construed as an attempt to in any wise abridge or restrict the power of the Common Council of said City to enact reasonable ordinances providing for the safety, comfort and convenience of the public traveling on lines of street railway in said City, also providing reasonable penalties for the violation thereof.

17. Said Traction Company hereby agrees and binds itself to keep and hold said City free and harmless from liability for any and all damages that may accrue to any person or persons on account of injury or damage to either person or property, growing out of the construction, improvement, maintenance and operation of the said company's cars and railway system under this contract, and in case suit shall be filed against said City, either independently or jointly with said company, on account thereof, said company, upon notice to it by said City, will defend said City against said action, and in the event of a judgment being obtained against said City, either independently or jointly with said company, on account of the acts of said company aforesaid, the said company will pay said judgment with all costs and hold the City harmless therefrom.

18. All poles, wires and fixtures used in and about said street railway plant and system shall be so placed and maintained by said party of the second part as not to interfere with the reasonable and proper use of the streets, avenues, alleys and public places in said City, and shall be subject to the approval of the Board of Public Works. The location of poles, wires and fixtures in said City may be changed under the provisions of this contract by reasonable orders of the Board of Public Works, as herein provided, or may be changed by said company with the approval of said Board and under its supervision and that of the City Civil Engineer.

The tracks of said Traction Company shall not be elevated above the surface of the streets, alleys, avenues or public places of said City, and the same shall be laid and maintained so as to conform to the established grades of such streets, alleys, avenues or public places as they shall from time to time exist; and in such manner as to be no unnecessary impediment to the ordinary use of such public thoroughfares, and the passage of wagons, carriages and other vehicles upon, along or across said tracks at any point, and in any and all directions; with suitable bridges at all gutters so as to permit the free and uninterrupted flow of water in and along said gutters.

All tracks and rails shall conform to the grade of the streets as now established, or as may hereafter be established by the said City, and subject at all times to be taken up and relaid by the party of the second part at its expense whenever necessary for the purpose of regrading or paving or repairing said streets, constructing sewers, laying or repairing of water or gas pipes, or any other public improvements. In case said rails or tracks shall not conform to the grade of the street as above provided, and the Board of Public Works shall notify the said company thereof, and the said company shall fail to do the necessary work of making such tracks and rails conform to any such grade within thirty (30) days from the time of receiving said notice, then the Board of

Public Works shall have the right to enter upon said tracks and make said repair or improvement, and charge the cost thereof to said company; and in case the said Company fails to pay said expense within thirty (30) days after the said Board shall render a bill therefor, then the said City shall have a right of action to recover such amount against the said company, and the said company shall be liable upon its bond, which is hereinafter provided for, for any such amount. And in case of such failure to pay any such bill, and suit is brought to recover the same, either upon said bond or otherwise, then the said City shall be entitled to recover, in addition to the amount of the cost of said repair and improvement, reasonable attorney's fees:

Provided, however, That such notice shall not be given at times of year unsuitable for the doing of the work required, unless the condition of such tracks is such as to endanger the safety of passengers.

Provided, further, That in all cases where the tracks, poles or other structures of the Traction Company which are required to be taken up and relaid to enable water or gas pipes, conduits or other apparatus of any person, company or corporation other than the City to be relaid or repaired, were laid or constructed before those of such person, company or corporation, the entire expense of taking up and relaying the tracks, poles and other structures of the Traction Company shall be borne by such other persons, company or corporation. All tracks maintained by the Traction Company shall be of uniform gauge. In case of single track, the same shall be laid in the center of the street, except as herein otherwise provided, in all cases where it is practicable to so lay the same, and in all cases where a double track is laid or maintained, the track shall be so laid and maintained as will make the center point between the two tracks the center of the street in all cases where it is practicable; and said tracks shall not be laid or maintained within twelve feet of the sidewalk upon any street in any case where it is practicable to avoid it, and no double track, side-track, switches or turn-outs (excepting cases where turn-outs are used to connect tracks laid along and upon alleys with tracks laid along and upon streets) shall be laid or maintained upon any street or alley less than thirty feet in width, without special permission from the Board of Public Works: Provided, however, That if said Traction Company shall have its terminals, power houses or car houses located on any lot fronting any such thirty-foot or less street or alley, it shall have the privilege of laying and maintaining turn-outs and tracks leading from such street or alley into such terminals, power and car houses.

19. Should it be necessary in the prosecution of any public work to temporarily stop the operation of cars, it may be done by order of the Board of Public Works, and in such case the party of the first part shall be held free from all claims for damages by reason of delay to the business or traffic of said party of the second part. But said party of the second part shall be required to operate or procure to be operated its lines of street railway continuously during the period of the existence of the franchise hereby granted, unless prevented from so doing by act of God, accidents or other causes not reasonably preventable.

In times of danger from fire or other cause, the Chief Engineer of the Fire Department, or any member of the Board of Public Safety may order any wire or wires belonging to said party of the second part cut and the electric current stopped until such danger is passed. The cars belonging to said party of the second part shall not at any time be allowed to run over any unprotected hose belonging to the Fire Department of said City. The emergency wagons of the Traction Company may be run upon the streets of said City at such speed as may be necessary, warning of their approach being given by the ringing of bells or sounding of gongs thereon.

20. No rights heretofore vested in any gas, water, light or other corporation, under contract with the City, and which are prior to rights

acquired by the Traction Company as they existed before and at the time of the taking effect of this agreement, are to be impaired or in any way affected by anything herein contained, but the rights and privileges hereby granted are subject thereto as to the construction and operation of lines on streets and parts of streets where such construction was originally made after the rights and privileges of such other corporation were granted and acted upon; and subject also to any future grants to any corporation to open the streets and public places of the City for necessary purposes; such rights to be exercised under the permission and direction of the Board of Public Works, and with no unnecessary inconvenience to the second party, and any expense occasioned thereby to the second party to be paid by such corporation.

21. It is also agreed by and between the parties hereto, that the said City of Indianapolis may at any time within two years and not later than one year before the expiration of this contract, and the period for which this franchise is granted, purchase of said Traction Company, its successors and assigns, its property of every description whatever, but the value of the franchise hereby granted shall not be included or considered in estimating the value of said property, it being the intention of the parties hereto that the value of said property to be agreed upon shall be the actual value thereof, independent of all franchise rights hereunder—the said City to pay nothing for franchise rights; and if the said City and the said company shall be unable to agree upon the terms of such purchase, then such City may file its petition in the Circuit Court of Marion County, Indiana, for a determination of the value of such property, in the manner provided and prescribed in section eight (8) of the act of the General Assembly of Indiana hereinbefore last referred to, which section is made a part of this contract by reference; and when the value of such property is so ascertained, such City of Indianapolis may, upon the expiration of this contract, after tendering the amount of the value of such property, as determined by said Court, at once take possession of such property, and operate such street railroad for its own use and purposes.

22. It is also agreed, in addition to any other penalties and forfeitures herein fixed and prescribed, that if said Traction Company should habitually, continually or continuously violate any of the provisions of this contract, or of the ordinance approving the same, or such other ordinances as may be passed by the Common Council of said City, under the provisions of the act of the General Assembly last referred to herein, then said company shall forfeit all its rights, title and interest in or to the use and occupancy of the streets, alleys, avenues and highways of said City for street railroad purposes, and its contract and franchise for the same shall be at an end and subject to forfeiture under the provisions of the said act.

23. Said Traction Company shall not use its lines and cars for freight carriage or traffic, other than passenger traffic or the carriage of the United States mail, without the consent and approval of the said Board of Public Works. The said company shall have the right to haul upon its tracks its own or other cars containing supplies for its own or the said City's use, but it shall not have the right to haul baggage, express or freight cars or vehicles other than its own cars for passengers, nor cars for advertising purposes only, except as herein otherwise provided, and with the consent and approval of the said Board of Public Works as aforesaid.

24. Nothing contained herein shall be taken as conferring upon the Traction Company any rights to construct or operate underground, overhead or elevated railways.

25. Said Traction Company shall at all times so regulate the running of its cars as not to impede or obstruct public travel at intersections of streets, alleys and avenues of said City, and its cars shall be stopped clear of cross streets.

26. It is agreed and understood by and between said parties, that no transfer of passengers shall be made by said party of the second part through or by means of a transfer car or other station established or maintained in any street or upon any avenue or public place.

27. It is also agreed by and between said parties, that any improvement undertaken by or in the name of said City, or by any contractor for and with said City, for the improvement of any street, alley, avenue, sidewalk or crossing, or for the construction of any sewer or drain, or other public work, shall not be impeded by said Traction Company, its agents or employes, but said company shall do all in its power to advance such improvement by the moving of its tracks and poles and relaying and replacing the same, when it becomes necessary, at its own cost, as hereinbefore provided. Said City shall protect said company as much as possible by seeing that the contractor for any such public work does not intentionally, negligently or maliciously delay the same to the detriment of the said company, party of the second part.

28. Said Traction Company, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of twenty-five thousand dollars (\$25,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that said company shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said City all penalties, forfeitures and other sums of money for which, under the terms of this contract, it may become liable to said City, and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said City, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said City, the said Board deems such renewal necessary. In case said company shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish such additional security thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

29. It is expressly agreed by and between the parties hereto that each and all of the provisions now in force of the said act entitled "An Act concerning street railroad companies in cities the population of which exceeds one hundred thousand, repealing all laws in conflict therewith and declaring an emergency," which became a law without the signature of the Governor on the 3d day of March, 1899, be and they are by reference hereby made a part of this agreement, as effectually and as fully as though all of the provisions thereof were actually written herein.

30. In further consideration of the grant hereby and herein made, and as part payment therefor, said Traction Company, its successors and assigns, undertakes and agree to pay to said City on the first day of January, 1903, and annually thereafter during the first eleven years of the term of this contract hereinafter provided, the sum of four cents per round trip for each and every round trip hereafter made, the length of which within said City is made four-fifths or more exclusively upon tracks of the Traction Company and Indianapolis Street Railway Company, or either of said companies, by any car of any interurban street railway company in going to and from a central point and terminal in said city under permission of the Board of Public Works and Common Council of said City, granted pursuant to the provisions of the Act of the General Assembly of March 3, 1899, hereinbefore referred to, or of any act subsequent thereto, and in which trip use was also made of the terminals of said Traction Company hereinbefore provided to be constructed for the use of interurban companies; and thereafter annually during the next ten years, the sum of six cents per round trip for

each and every round trip so made by any such car during such period; and for the remainder of the term of this contract said Traction Company, its successors and assigns, undertake and agree to pay as aforesaid the sum of nine cents per round trip for each and every such trip so made by any such car.

The President of the Traction Company, or other executive officer thereof, shall at the time of any such payment file with the City Comptroller a sworn statement of the total number of round trips so made by each car of each such interurban company during the year or period for which the payment is to be made.

In consideration of the aforesaid undertaking an agreement of the Traction Company to make such payments and of such payments, said City undertakes and agrees that it will not at any time impose upon or exact from said Traction Company, its successors or assigns, or its or their property, or require to be paid by it or them, any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge, than those above provided to be paid. But nothing contained in this contract shall affect the liability of said company to general taxation, or the obligations of the Indianapolis Street Railway Company under Section 12 of the contract of April 7, 1899, between said company and said City to make the payments therein provided to be made to said City.

31. The right hereby granted to the said company, party of the second part, to construct, maintain and operate street railway lines in said City, whether of its own construction or purchased, leased or otherwise acquired, shall continue until the 7th day of April, 1933, and all terms, conditions and covenants of this contract shall be binding and conclusive for that period on both the parties hereto, but all such rights, conditions and covenants are hereby expressly limited to said period, which shall begin on the taking effect of this contract and end on the 7th day of April, 1933.

This limitation of time is agreed to be one of the chief considerations for the grant hereby made, and the said party of the second part, recognizing and conceding that such limitation of time as herein expressed is one of the essential and governing conditions of this contract, does hereby bind itself, its successors and assigns, that at the expiration of said period it will peaceably yield possession of every part of every street, alley, avenue and public place in said City then occupied by any of its lines of street railway or system and every part thereof, and from thenceforward will make no claim of any kind to exercise any right whatever under the grant herein made, or under any charter or corporate right, and any rights which might be claimed by said company, party of the second part, or its successors or assigns, to hold beyond said period of time, under the statute under which it was incorporated, or any enactment prior to this date or which might have been derived from any other source are herein and hereby expressly waived.

And the said company, party of the second part, agrees and binds itself, its successors and assigns, that it will not execute any mortgage or mortgages, or create any other liens to secure any bonds or other evidences of indebtedness which shall mature after the period above fixed at which the franchise granted herein shall expire, and if at any time during the existence of this contract any such mortgage is executed, or any such lien created, then all the rights of the said party of the second part herein conferred shall cease and determine, and said party shall at once yield peaceable possession of all parts of every street, alley, avenue or public place occupied by any part of its said street railway system.

In Testimony Whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

THE CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,
Its Board of Public Works.

CHARLES A. BOOKWALTER,
Mayor.

INDIANAPOLIS TRACTION AND TERMINAL COMPANY,
[Seal.]

By W. KESLEY SCHOEPP,
President.

Attest:

JOHN D. THOMSON,
Secretary.

And, Whereas, said contract and agreement has been submitted by said Board of Public Works of the City of Indianapolis to the Common Council of said City for its action thereon: therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement, made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, be and the same is in all things ratified, confirmed and approved, and said Indianapolis Traction and Terminal Company be and the same is hereby granted the rights, privileges and franchise as in said contract and agreement set forth, in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works:

G. O. No. 50, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Northern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis Northern Traction Company, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis Northern Traction Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part,

WITNESSETH: That, Whereas, The said Indianapolis Northern Traction Company, has presented its written petition to the Board

of Public Works of said City of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and.

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize and empower and permit the said Indianapolis Northern Traction Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Entering upon the College avenue line of tracks of the Indianapolis Street Railway Company at Thirtieth street; thence extending to and upon Sutherland and College avenues; and on College avenue to Massachusetts avenue; thence on Massachusetts avenue to Pennsylvania street; thence on Pennsylvania street to Washington street; thence on Washington street to Meridian street; thence south on Meridian street to Maryland street, as its central point and terminal; thence to return from said central point and terminal at said intersection of Meridian and Maryland streets; south on Meridian street to Georgia street; thence west on Georgia street to Illinois street; thence north on Illinois street to Maryland street; thence west on Maryland street to Kentucky avenue; thence, turning on a "Y" at the intersection of Kentucky avenue and Maryland street; east on Maryland street to Illinois street; thence north on Illinois street to Washington street; east on Washington street to Pennsylvania street; thence upon Pennsylvania street, Massachusetts avenue, College avenue and Sutherland avenue to the point of entrance as aforesaid; and, also, in both entering and leaving said city, upon College avenue from Sutherland avenue north to the north corporate limits of said city, together with the right to construct, maintain and operate its lines of railway track, with the necessary overhead construction, over and upon any bridge hereafter constructed by said city over Fall Creek in the course of College avenue.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which

route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

From College avenue into and returning from the College avenue barns at the south end thereof; from College avenue west on Twentieth street, to, into and returning from the College avenue barn at the north end thereof; from Delaware street west on Washington street, to, into and returning from the barns and shops on West Washington street; from the intersection of Georgia and Illinois streets, south on Illinois street to the Union Station; thence west on Louisiana street to and around the loop at the intersection of Capitol avenue and Louisiana street, to, into and returning from the Louisiana car house and shops.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines,

and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually

carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time; and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works; and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway

Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a head-light, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the

Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line

within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

Said city hereby consents to the possession, exercise and use by the Union Traction Company of Indiana, as lessee of the Indianapolis Northern Traction Company, or by any company formed by the consolidation of said Indianapolis Northern Traction Company and the Union Traction Company of Indiana, of all the rights, privileges and powers hereby granted to said Indianapolis Northern Traction Company, for the full term created by this contract, subject in all respects to the terms and conditions of this contract, including the payment by the consolidated or leasing company of the sums hereinbefore agreed to be paid to said city, the same as though no consolidation or lease had been made.

In Witness Whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,
Mayor.

INDIANAPOLIS NORTHERN TRACTION COMPANY,
[Seal.] By ELLIS C. CARPENTER,
President.

Attest:

ARTHUR W. BRADY,
Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Northern Traction Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis Northern Traction Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Board of Public Works:

G. O. No. 51. 1902: An Ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit, on the 4th day of August, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Union Traction Company of Indiana, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the city of Indianapolis, Marion county, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Union Traction Company of Indiana (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part,

WITNESSETH: That, Whereas, The said Union Traction Company of Indiana, has presented its written petition to the Board of Public Works of said city of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein, and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into said city on such cars; and

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning street railroad companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said city of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, empower and permit the said Union Traction Company of Indiana, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Entering upon the College avenue line of tracks of the Indianapolis Street Railway Company at Thirtieth street; thence extending to and upon Sutherland and College avenue, and on College avenue to Massachusetts avenue; thence on Massachusetts avenue to Pennsylvania street; thence on Pennsylvania street to Washington street; thence on Washington street to Meridian street; thence south on Meridian street to Maryland street, as its central point and terminal; thence to return from its central point and terminal at said intersection of Meridian and Maryland streets, south on Meridian street to Georgia street; thence west on Georgia street to Illinois street; thence north on Illinois street to Maryland street; thence west on Maryland street to Kentucky avenue; thence, turning on a "Y" at the intersection of Kentucky avenue and Maryland street; east on Maryland street to Illinois street; thence north on Illinois street to Washington street; east on Washington street to Pennsylvania street; thence upon Pennsylvania street, Massachusetts avenue, College avenue and Sutherland avenue, to the point of entrance aforesaid; and, also, in both entering and leaving said city, upon College avenue from Sutherland avenue north to the north corporate limits of said city, together with the right to construct, maintain and operate its lines of railway track, with the necessary overhead construction, over and upon any bridge hereafter constructed by said city over Fall Creek in the course of said College avenue.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north: South street, on the south; East street, on the east; and West street, on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the city of Indianapolis, Indiana. Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part, may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows: From College avenue into and returning from the College avenue barn at the south end thereof; from College avenue west on Twentieth street to and into and returning from the College avenue barn at the north end thereof; from Delaware street west on Washington street to, into and returning from the barns and shops on west Washington street; from the intersection of Georgia and Illinois streets south on Illinois street to the Union Station, thence west on Louisiana street to and around the loop at the intersection of Capitol avenue and Louisiana street, to, into and returning from the Louisiana car house and shops.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all inter-

secting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic, to or from the city of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said line by the Indianapolis Street Railway Company, and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in anywise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the city of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party or the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharging of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway

Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, that no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time; and, provided, further, that all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section 5, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies, which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, That such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of

the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, Chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, that if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company, or its assigns, shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the

outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in anywise insufficient, and the right is reserved to the Board of Public Works of such city to order any needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without in-

jury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of said companies.

In case the said company, party of the second part shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designing the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, that nothing herein contained shall be construed as an attempt to abridge or in anywise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, the said company, party of the second part, agrees and binds itself to pay to the said city on the 1st day of January, 1902, and annually thereafter, during the period ending on the 4th day of November, 1908, the sum of five cents for each and every round trip made by any car of said company over the streets of said city, during the year preceding said date; and thereafter annually during the next ten years the sum of fifteen cents per round trip for each and every round trip made by any car of said company over the streets of said city during the preceding year; and for the balance of said period for which this franchise is granted said party of the second part agrees and binds itself to pay as aforesaid the sum of twenty-five cents per round trip for each and every car as above described; less and except, however, the sum of four cents for each and every round trip so made by any such car during the first eleven years of the term of this contract, and the sum of six cents for each and every round trip so made by any such car during the next ten years, and the sum of nine cents for each and every round trip so made by any such car during the remainder of the term of this contract, such sums so deducted and excepted being the sums agreed to be paid for each and every such round trip by the Indianapolis Traction and Terminal Company under its contract with said city of even date herewith; and in consideration of such agreement of said company to make said payments, and of said payments said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or

for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line, within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the city of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city, and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

Said city hereby consents to the possession, exercise and use by any corporation formed by the consolidation of said Union Traction Company of Indiana, and the Indianapolis Northern Traction Company, of all the rights, privileges and powers hereby granted to said Union Traction Company of Indiana, for the full term created by this contract, subject in all respects to the terms and conditions of this contract, but said consolidated company shall only be required to pay to said city for round trips of cars the several sums and payments agreed in the respective contracts entered into between said city and the said constituent companies forming such consolidation, which payments shall be made as agreed between said city and said constituent companies the same as though said consolidation had never been formed.

As a further consideration for the execution of this contract, it is hereby agreed that this contract, when fully executed and in force, shall supersede that certain contract heretofore entered into between said city and this company, dated November 4, 1901, and said last named contract shall thereupon cease and terminate.

In witness whereof, said parties have hereunto set their hands and seals this day of 190....

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE.

Board of Public Works.

CHARLES A. BOOKWALTER, Mayor.

UNION TRACTION COMPANY OF INDIANA.

By GEO. F. McCULLOCH, Pres.

JAMES A. VAN OSDAL, Secy.

And, Whereas, Said contract and agreement has been submitted by said Board of Public Works of said city of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the city of Indianapolis, by and through its Board of Public Works, and the Union Traction Company of Indiana, be and the same is hereby in all things ratified, confirmed and approved, and said Union Traction Company of Indiana is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works:

G. O. No. 52, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Greenwood and Franklin Railroad Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis, Greenwood and Franklin Railroad Company, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis, Greenwood and Franklin Railroad Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part,

WITNESSETH: That, Whereas, The said Indianapolis, Greenwood and Franklin Railroad Company, has presented its written petition to the Board of Public Works of said City of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe,

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize and empower and permit the said Indianapolis, Greenwood and Franklin Railroad Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Over the Shelby street line from the south corporation line of the City of Indianapolis, by way of Virginia avenue and Washington streets, in the City of Indianapolis, to Meridian street in said city; south on Meridian street to Georgia street; and to return from said point west on Georgia street to South Illinois street, north on Illinois street to Washington street and east on Washington street to Virginia avenue.

and from thence to the south corporation line of the said city over the Virginia avenue and Shelby street tracks to the point of connection aforesaid.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

By the most direct route by which tracks are provided to reach the storage barns and shops of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, located upon Washington street, west of White river, in said City of Indianapolis.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose

of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars,

and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time: and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a head-light, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such

provision or stipulation, which sum may be collected without relief from valuation or appraisal laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceeding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness Whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

INDIANAPOLIS, GREENWOOD AND FRANKLIN RAILROAD
COMPANY.
[Seal.]

By JOS. I. IRWIN,
President.

Attest:

HUGH H. MILLER,
Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon: therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Greenwood and Franklin Railroad Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis, Greenwood and Franklin Railroad Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works:

G. O. No. 53, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Lebanon and Frankfort Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis, Lebanon and Frankfort Traction Company, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis, Lebanon and Frankfort Traction Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part.

WITNESSETH: That, Whereas, The said Indianapolis, Lebanon and Frankfort Traction Company, has presented its written petition to the Board of Public Works of said City of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize and empower and permit the said Indianapolis, Lebanon and Frankfort Traction Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

From the intersection of Northwestern avenue and Thirty-fourth street, over and upon the line of street railroad known as the North Indianapolis line, in Northwestern avenue to Twenty-first street; thence east on Twenty-first street to Senate avenue; thence south on Senate avenue to Indiana avenue; thence southeasterly on Indiana avenue to Illinois street; thence south on Illinois street to Maryland street; thence west on Maryland street to Kentucky avenue, for a terminal point; thence returning east on Maryland street to Illinois street; thence north on Illinois street to

Indiana avenue; thence northwesterly on Indiana avenue to Senate avenue; thence north on Senate avenue to Twenty-first street; thence west on Twenty-first street to Northwestern avenue; thence northerly on Northwestern avenue to said intersection of Northwestern avenue and Thirty-fourth street.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

By the most direct route by which tracks are provided to reach the storage barns and shops of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, located upon Washington street, west of White river, in said City of Indianapolis.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on

such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city, dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually

allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time: and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such

provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness Whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

INDIANAPOLIS, LEBANON AND FRANKFORT TRACTION
COMPANY.

By GEO. TOWNSEND,

President.

[Seal.]

Attest:

W. S. REED,

Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Lebanon and Frankfort Traction Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis, Lebanon and Frankfort Traction Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works :

G. O. No. 54, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Plainfield Electric Railroad Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and to build, construct, maintain and operate its railroad over and across certain streets and alleys, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis and Plainfield Electric Railroad Company, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis and Plainfield Electric Railroad Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part.

WITNESSETH: That, Whereas, The said The Indianapolis and Plainfield Electric Railroad Company, has presented its written petition to the Board of Public Works of said City of Indianapolis, asking permission to build, etc., and be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe,

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize and empower and permit the said Indianapolis and Plainfield Electric Railroad Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Oliver, River and Kentucky avenues to the intersection of Kentucky avenue, Illinois street and Washington street, the route being more particularly described as follows: Beginning in Oliver avenue at the intersection of said avenue and the tracks of the Belt Railroad and Stock Yard Company; thence in said Oliver avenue, River avenue and Kentucky avenue to the said intersection of Kentucky avenue, Illinois street and Washington street, and thence returning in the said avenues to the said intersection of Oliver avenue and the tracks of the Belt Railroad and Stock

Yard Company; and does authorize, empower and permit the said company, to wit, the Indianapolis and Plainfield Electric Railroad Company, to build, construct, maintain and operate its railroad over and across Belmont avenue and the streets and alleys between said Belmont avenue and the tracks of the Belt Railroad and Stock Yard Company along the right of way now owned by the said company, and at the intersection of Oliver avenue and the tracks of the Belt Railroad and Stock Yard Company to connect its tracks with the tracks of the Indianapolis Street Railway Company.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

Beginning at the intersection of Kentucky avenue and Maryland street; thence east in Maryland street to Illinois street; thence north in Illinois street to Washington street; thence west in Washington to, into and from the barns and shops on West Washington street, returning by the

same route to the said intersection of Kentucky avenue and Maryland street.

The above grant, in so far as it pertains to the right to use the tracks of Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis

Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time: and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight

matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks

under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining

thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway

companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

INDIANAPOLIS AND PLAINFIELD ELECTRIC RAILROAD
COMPANY.

By ALBERT LIEBER,
President.

[Seal.]

Attest:

HENRY L. SMITH,

Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Plainfield Electric Railroad Company be and the same is hereby in all things ratified, confirmed and approved, and said The Indianapolis and Plainfield Electric Railroad Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works:

G. O. No. 55, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Martinsville Rapid Transit Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis and Martinsville Rapid Transit Company, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis and Martinsville Rapid Transit Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part.

WITNESSETH: That, Whereas, The said Indianapolis and Martinsville Rapid Transit Company, has presented its written petition to the Board of Public Works of said City of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize and empower and permit the said Indianapolis and Martinsville Rapid Transit Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over its own and the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Kentucky avenue between its intersection with the west corporation line of said city and Morris street; Morris street between Kentucky avenue and South West street; South West street between Morris street

and Kentucky avenue; and Kentucky avenue between Morris street and the junction of Kentucky avenue with Illinois and West Washington streets; or, in lieu thereof, Kentucky avenue between its intersection with the west corporation line of said city and the junction of Kentucky avenue with Illinois and West Washington streets.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

By the most direct route by which tracks are provided to reach the storage barns and shops of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, located upon Washington street, west of White river, in said City of Indianapolis.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all inter-

secting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern

to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service; Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time; and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company; Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not

exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common

Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a head-light, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining

thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceeding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway

companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness Whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

INDIANAPOLIS AND MARTINSVILLE RAPID TRANSIT
COMPANY,

CHAS. FINLEY SMITH,
President.

[Seal.]

Attest:

EMMET M. SMITH,
Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Martinsville Rapid Transit Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis and Martinsville Rapid Transit Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works :

C. O. No. 56, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis, Shelbyville and Southeastern Traction Company, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis, Shelbyville and Southeastern Traction Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part.

WITNESSETH: That, Whereas, The said Indianapolis, Shelbyville and Southeastern Traction Company, has presented its written petition to the Board of Public Works of said City of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize and empower and permit the said Indianapolis, Shelbyville and Southeastern Traction Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Prospect street, from the east corporation line of said city, to Virginia avenue; thence on Virginia avenue to Washington street; thence on Washington street to Meridian street; thence on Meridian street to and beyond Georgia street for terminal point; thence returning on Georgia and Illinois streets and around Louisiana street loop by Illinois, Georgia and Meridian streets to Washington street; thence on Washington street

to Virginia avenue; and thence on Virginia avenue and Prospect street to the said east corporation line; and to operate and run its express and freight cars upon and over the said tracks in Prospect street from said east corporation line to Virginia avenue; thence on Virginia avenue to Maryland street; thence on Maryland street to Pennsylvania street; thence on Pennsylvania street to Georgia street; thence on Georgia street to Meridian street; thence returning over the same route to said east corporation line.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

By the most direct route by which tracks are provided to reach the storage barns and shops of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, located upon Washington street, west of White river, in said City of Indianapolis.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for

such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time: and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage

of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22." copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordi-

nance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining

thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisal laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway

companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness Whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

INDIANAPOLIS, SHELBYVILLE AND SOUTHEASTERN TRACTION COMPANY,

By ED. K. ADAMS,

President.

[Seal.]

Attest:

THOMAS E. GOODRICH,

Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis, Shelbyville and Southeastern Traction Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By the Board of Public Works:

G. O. No. 57, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Eastern Railway Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 4th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis and Eastern Railway Company, namely:

THIS AGREEMENT, made and entered into this, the 4th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Indianapolis and Eastern Railway Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part.

WITNESSETH: That, Whereas, The said Indianapolis and Eastern Railway Company, has presented its written petition to the Board of Public Works of said City of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize and empower and permit the said Indianapolis and Eastern Railway Company subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

East Washington street, from the east corporation limit of said city, to Illinois street; Illinois street, from Washington street to Georgia street; Georgia street, from Illinois Street to Meridian street; Meridian street, from Georgia street to Washington street.

And, in consideration of the rights granted to it herein, the party of the second part fully, completely and forever waives, releases and relin-

quishes, and does hereby waive, release and relinquish all right, or rights of every kind and character within the limits of the city of Indianapolis, accruing to it under any contract or contracts with the town of Irvington, or the Board of Commissioners of the county of Marion, Indiana, and hereby cancels and annuls any such contract or contracts.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

Washington street, from the east corporation limit of said city to the car barns and repair shops of said Indianapolis Street Railway Company, situate on West Washington street in said city; Illinois street, from Washington street to Louisiana street; Louisiana street to Capitol avenue; Georgia street, from Illinois street to Meridian street; Meridian street, from Georgia street to Washington street.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for

such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time: and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage

of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordi-

nance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a head-light, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining

thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisal laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway

companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness Whereof, said parties have hereunto set their hands and seals this 4th day of August, 1902.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

INDIANAPOLIS AND EASTERN RAILWAY COMPANY.

By CHARLES E. COFFIN,
Vice-President.

[Seal.]

Attest:

J. W. CHIPMAN,

Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Eastern Railway Company be and the same is hereby in all things ratified, confirmed and approved, and said Indianapolis and Eastern Railway Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Mr. Shea :

G. O. No. 58, 1902: An ordinance requiring a flagman at the crossing of Fletcher avenue and the Cleveland, Cincinnati, Chicago and St. Louis Railway Company.

Be it ordained by the Common Council of the city of Indianapolis, as follows:

Section 1. That from and after the passage of this ordinance, it is hereby made the duty, and the Cleveland, Cincinnati, Chicago and St. Louis Railway Company are required to keep and maintain at the crossing of its railroad tracks, over Fletcher avenue, in the city of Indianapolis, a flagman to give warning to pedestrians and travelers crossing said avenue of the approach of trains, cars, and engines on said railroad tracks so passing over said crossing.

Sec. 2. That after the passage of this ordinance said Cleveland, Cincinnati, Chicago and St. Louis Railway Company shall be deemed guilty of an offense for each day it shall fail, neglect or refuse to so keep and maintain a flagman, as aforesaid, at said crossing, and upon conviction thereof shall be fined in any sum not exceeding twenty-five dollars, but not less than one dollar.

Sec. 3. This ordinance shall be in full force and effect after its passage and publication thereof as by law required.

Which was read a first time and referred to Committee on Railroads.

By Mr. Wheeler (by request):

G. O. No. 59, 1902: An ordinance defining a part of the boundary line of the City of Indianapolis, Indiana, so as to extend the same, and annexing to the City of Indianapolis certain territory; providing for the publication thereof, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the east boundary line of said City of Indianapolis be and the same is hereby extended so as to include the following described territory contiguous to said City of Indianapolis, Indiana, whether platted or not, which said following described contiguous territory is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, Marion County, Indiana, said territory to be annexed being described as follows: All that territory bounded as follows: Commencing at the present city limits at the intersection of Keystone avenue and Woodlawn avenue; thence east south and east with the center line of Woodlawn avenue to the center line of Earhart street; thence south with the center line of Earhart street to the center line of Prospect street; thence east with the center line of Prospect street to the center line of Earhart street; thence south with the center line of Earhart street to south line of Hosbrook's Prospect street addition to said city; thence west with south line of Hosbrook's Prospect street addition to the west line of the first alley west of Miami street; thence north with west line of said alley to the center of Wallace street; thence west with center line of Wallace street to the center line of section 17, township 15, range 4 east, in Marion County, Indiana; thence north with center line of said section, township and range, to the center of Wallace street; thence west with center line of Wallace street to the center line of Golay street; thence north with center line of Golay street to the east right of way line of the Belt Railroad; thence southwestwardly with said east right of way line of the Belt Railroad to the center of Keystone avenue (now the

present city limits); thence north with the center line of Keystone avenue to the center line of Woodlawn avenue to the place of beginning, in the City of Indianapolis, in Marion County, Indiana. All of which said contiguous territory shall hereafter form a part of the said City of Indianapolis, Marion County, Indiana, and be within the jurisdiction of the same, and said territory is hereby consolidated with and made a part of said City of Indianapolis, Marion County, Indiana.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the a daily newspaper of general circulation, printed and published in said City of Indianapolis, Marion County, Indiana.

With the following petition:

To the Honorable Mayor and Common Council of the City of Indianapolis, Indiana:

The undersigned owners of real estate and interested residents in the following described territory, contiguous to the city of Indianapolis, Ind., to wit:

Beginning at the intersection of Keystone and Woodlawn avenues, thence east with center of Woodlawn avenue to Earhart street, thence south with center of Earhart street to center of Prospect street, thence east with Prospect street to Earhart street, thence south with Earhart street to south line of Hosbrook's Prospect street addition, thence west with south line of said addition to the west line of first alley west of Miami street, thence north with said alley to Wallace street, thence west with Wallace street to center of Section 17, township 15, range 4 in Marion county, Indiana, thence north with center line of said section to Wallace street, thence west with Wallace street to Golay street, thence north with Golay street to east line of right of way of Belt Railroad, thence south eastwardly with said line of right of way to Keystone avenue, thence north with Keystone avenue to Woodlawn avenue, the place of beginning, most respectfully petition your honors to annex by ordinance, said territory to the city of Indianapolis and to include the same within the boundaries of said city.

Witness our names this July — 1902.

John Kraus,
Nicholas DeKloe,
Edward Schaefer,
Christopher Coynlfoppe,
S. C. Relyea,
W. H. Washington,
John Thompson,
John Nordman,
Mike Weis,
Shepherd Hardrick,
William L. Reed,
Charlie Pipes,
Louis Taylor, (X) his mark,
Albert Nordman,
Albert F. Veach,
Leo Hottell,
John D. Bremer,
Green Mayes,
Sidney Penick,
Henry Behl,
J. E. Carney,
William Spitzfaden,
Silas Warner, (X) his mark,
Charles Elliott,
Chas. Mueller,
Dan L. Demaree,

James Draper, (X) his mark,
Junius Clingman,
W. C. Kokemiller,
Albert Neffle,
Robert Whyde,
Frank Cranshaw, (X) his mark,
Trustin Smith,
Lem Haase,
Thomas J. Boone,
J. H. Barley,
J. M. Washington,
Max Drach,
Anthony Glassbrooks,
Joe Sasleys,
Joseph R. Elliott,
Geo. E. Wright,
John Blackwell,
George Noles, (X) his mark,
Carey Elliott,
Emma B. Hottell, P. M.,
Otto Borchett,
Wm. Horton,
William Barnes,
O. E. Wiegman,
John Irons,
Edward Thase,

J. H. Vancleman,
James Maginnis,
Abram Wright, (X) his mark,
Will Maves,
Thos. E. Matthews,
Geo. Vandever,
Hence Crowdis, (X) his mark,
John Ofanjom,
Isaac Graham, (X) his mark,
James Hamilton, (X) his mark,
Frank Saters, (X) his mark,

Richard C. Weis,
Lee Irons,
John Blackwell,
Mrs. Janie Butler, (X) her mark,
Mrs. Susan Birens, (X) her mark,
Emma Shirly,
Sarah Harrison,
Steve Turk, (X) his mark,
Chas. Mueller, Jr.,
Henry F. D. Schilling,
Mary E. Geis, (Adm).

I should favor annexation. While the tax would be increased, I think the benefits would justify it. I think I voice the joint owners' views.

Very respectfully yours,

S. K. DRUCE.

This represents the Hosbrook addition to Indianapolis.

PAUL NIEMANN,
MINNIE NIEMANN.

Which was read a first time and referred to Committee on Judiciary.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 22, 1902: An ordinance appropriating the sum of two thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 22, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes: None.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 40, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the city of Indianapolis, by and through its Board of Public Works, and the Citizens' Heat and Light Company, its successors and assigns, granting authority and permission to use the streets, alleys, and public places of, and within, the city of Indianapolis, for the purpose of heating water or steam and generating electricity and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Mr. Negley moved that the amendment to G. O. No. 40, 1902, as recommended by the Committee on Contracts and Franchises, be adopted.

Which motion prevailed.

On motion of Mr. Negley, G. O. No. 40, 1902, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes, 1, viz.: Mr. Shea.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

G. O. No. 42, 1902: An ordinance approving a certain contract granting E. C. Atkins & Company, of the city of Indianapolis, the right to construct a switch, or sidetrack, across the first alley north of South street; across South street and in and along Eddy street, in the city of Indianapolis, Indiana, and fixing a time when same shall take effect.

On motion of Mr. Billingsley, G. O. No. 42, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 13, viz.: Messrs. Billingsley, Cooper, Eppert, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, 6, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Wahl and Wolsiffer.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

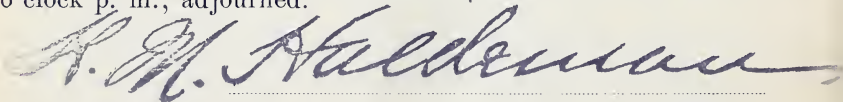
G. O. No. 41, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack along Louisiana street in the city of Indianapolis, being in lieu of and to supersede an ordinance entitled "General Ordinance No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack across McGill street in the city of Indianapolis," and repealing said last-named ordinance.

On motion of Mr. Cooper, G. O. No. 41, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

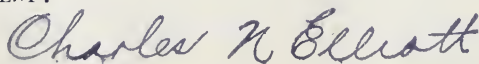
Noes, 1, viz.: Mr. Kelly.

On motion of Mr. Wynne, the Common Council, at 9:05 o'clock p. m., adjourned.



President.

ATTEST:



City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

TUESDAY, August 12, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Tuesday evening, August 12, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

August 11, 1902.

To the City Clerk and President and Members of the Common Council,
City of Indianapolis, Ind.:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the City of Indianapolis, Indiana, under section 45 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 p. m., on August 12, 1902, in the Council Chamber in said city, for the purpose of introducing, referring and taking action on an ordinance ratifying an agreement entered into the 11th day of August, 1902 by and between the City of Indianapolis, Indiana, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, a corporation duly organized and incorporated under and by virtue of the laws of the State of Indiana.

And the City Clerk is hereby notified and directed to forthwith serve a copy of this notice on each and every member of the Common Council of said city, and make due return of such service at said special meeting.

C. A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 15 members, viz.: Messrs. Berry, Cooper, Eppert, Holliday, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 5, viz.: Messrs. Billingsley, Crall, Kelly, Moriarity, and President Haldeman.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS.

Office of the Board,

INDIANAPOLIS, August 11, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith, for your consideration and action thereon, an ordinance ratifying, confirming and approving a contract this day made with the Indianapolis Traction and Terminal Company.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinance was introduced.

By Board of Public Works:

G. O. No. 60, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon the streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Whereas, heretofore, to wit, on the 11th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Indianapolis Traction and Terminal Company, viz.:

THIS AGREEMENT, made and entered into this 11th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana, hereinafter called the city, by and through its Board of Public Works, party of the first part, and the Indianapolis Traction and Terminal Company, hereinafter called the Traction Company, a corporation duly organized and incorporated under and by virtue of the laws of the State of Indiana, party of the second part,

WITNESSETH: 1. That said City, under and by virtue of the powers conferred by an act of the General Assembly of the State of Indiana, approved March 6, 1891, entitled "An Act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and

matters connected therewith, and declaring an emergency," and of the act of March 3, 1899, entitled "An Act concerning street railroad companies in cities, the population of which exceeds one hundred thousand, repealing all laws in conflict therewith and declaring an emergency," and of all other powers and authority possessed by it, in consideration of the several agreements of said Traction Company hereinafter contained, does hereby, subject to the conditions herein expressed, authorize and empower said Traction Company, its successors and assigns, and does hereby give and grant consent, permission and authority to said Traction Company, its successors and assigns, upon and after the approval and ratification of this contract by an ordinance of the Common Council of said City, to construct, own, hold, and maintain a single or double track surface street passenger railway system, to be operated by electricity or other improved power, to be approved by the Board of Public Works of said City, with all proper and convenient turnouts, switches, sidetracks, curves, feeder lines, poles and appurtenances which may be necessary to the successful operation of such street railway system in, along and upon the following described streets, alleys, avenues and public places of said City, to wit:

- In New York street, between East and West streets;
- In Ohio street, between East and West streets;
- In Market street, between Illinois street and Capitol avenue;
- In Maryland street, between Alabama and Delaware streets, and Capitol avenue and West street;
- In Georgia street, between Delaware and Pennsylvania streets, and Illinois and West streets;
- In South street, between East and Delaware streets;
- In West street, between Indiana avenue and New York street, and Washington and South streets;
- In Senate avenue, between Indiana avenue and South street;
- In Kentucky avenue, between Morris street and River avenue;
- In Capitol avenue, between New York street and South street;
- In Pennsylvania street, between Georgia street and Madison avenue;
- In Delaware street, between Maryland and South streets;
- In Alabama street, between Market street and the Virginia avenue viaduct;
- In East street, between New York and Ohio streets, and Washington and South streets;
- In Madison avenue, between South and Ray streets;
- In Huron street, between Virginia avenue and Shelby street;
- In Shelby street, between Virginia and Lexington avenues;
- In Lexington avenue, between Shelby and Harlan streets;
- In Harlan street, between Lexington and Woodlawn avenues;
- In Woodlawn avenue, between Harlan street and Keystone avenue;
- In Keystone avenue, between Woodlawn avenue and Prospect street;
- In Prospect street, between Virginia and Madison avenues;
- In Wilkins street, between Madison avenue and West street;
- In Morris street, between Kentucky and River avenues;
- In Rural street, between Roosevelt street and Urbana avenue;
- In Urbana avenue, between Rural street and Brookside park;
- In Beech street, between Roosevelt street and Hillside avenue;
- In Nineteenth street, between Hillside and Central avenues;
- In Thirtieth street, between Illinois street and the bridge across White river in said Thirtieth street.

The streets, avenues and other public places herein named are intended to be streets, avenues and public places heretofore and now popularly known by the names herein mentioned, whether such names are in fact the legal designations of such streets, avenues and public places or not.

2. Said Traction Company, as part of the consideration for the grant herein made expressly disclaims any right to use any street, avenue, alley or public place in said City for the maintenance and operation of its street railway system, except such as is granted or provided to be granted to it in this contract, and agrees to and does hereby surrender absolutely to the said City all franchises and rights to the use and occupancy of any of the streets, avenues, alleys and public places of such City, heretofore owned, held or claimed by said company within the corporate limits of such City, or in which said company has heretofore claimed or now claims any interest.

3. Said Traction Company shall not have the right to build or operate any line or part of a line of street railway upon any of the streets, avenues, alleys or public places of said City except such as are specifically named herein, and such as it may acquire from the Indianapolis Street Railway Company as hereinafter provided, until permission and authority so to do have been granted by the Common Council of said City, which permission and authority, to be effective, must be granted by ordinance or resolution, which must be spread at length either upon the records of said Council or recorded in the book generally used for keeping records of ordinances and resolutions; and none of such lines of street railway on any of the streets, alleys, avenues or public places specifically aforesaid mentioned shall ever be extended or prolonged in the same general direction or otherwise in or along any such street, alley, avenue or public place or any extension thereof which may hereafter be made, without the permission and authority of said Common Council granted in manner and form as aforesaid; but said Traction Company, with the consent of the Common Council, and when and as permitted by the Board of Public Works of said City, may extend its own lines or construct new lines connected therewith or with the lines of other street railway companies in said City to such point or points at the corporate limits of said City, or within such corporate limits, and upon such streets, avenues, alleys and public places of said City as shall be designated by said Board of Public Works in order to afford additional street car facilities to the inhabitants of said City, or to form continuous lines by means of the railway system of the said Traction Company along or in connection with the lines or parts of lines of any other street railway company occupying said streets, avenues, alleys and public places or parts thereof, by which any suburban or interurban street railway company which may be permitted by said Board of Public Works and Common Council so to do may operate its cars to and from the central points in said City designated by said Board of Public Works and Common Council as its terminals; and all future extensions, new routes or lines laid, maintained or operated, shall be upon the terms and conditions, and subject to the obligations and provisions prescribed in this contract as to time and construction and operation and police control, as to routes and lines herein specifically designated, and said terms, conditions, provisions, restrictions and obligations shall apply to all and singular the routes or lines or street railway of the said Traction Company, now or hereafter laid, maintained or operated beyond the corporate limits of said City which have been or may from time to time hereafter be brought within such corporate limits by annexation or otherwise, as and when the city limits are extended to embrace such lines, and the right to maintain or operate within such city any such new lines, extensions or annexed lines shall expire absolutely, as herein provided as to existing routes and lines hereinbefore specifically designated—it being distinctly agreed by and between said parties, that at the expiration of the term for which this franchise is granted, the right of said Traction Company, its successors or assigns, to operate a street railway system upon any line or lines within the boundaries of said City, as such boundaries shall then exist, shall absolutely cease.

The operation and use of any line or part of a line of street railway which is hereafter constructed may be discontinued by the said Traction Company only upon the consent and authority of the Board of Public Works of said City having been first obtained, which consent and authority shall be entered at length upon the records of said Board: Provided, That in case of such discontinuation, the said Traction Company shall restore the street to good condition, improving the said part so vacated with the same material with which the remainder of such street is improved.

4. The tracks constructed by said Traction Company shall be laid and maintained so that the center line thereof in case of a single track or the center line of the space between the tracks in case of a double track shall be the center line of the street; they shall be of the same gauge as the tracks of the Indianapolis Street Railway Company and single or double tracks according as the tracks of the Indianapolis Street Railway Company of which they are extensions, are single or double tracks, and in other respects shall be so constructed and maintained as that they may be physically connected with the tracks of the Indianapolis Street Railway Company at intersecting points: Provided, however, that if said Traction Company shall desire to lay a single track in extension of one track only of an existing double track line, it may do so with the consent of the Board of Public Works, and in that case said single track need not be laid in the center of the street, but may be extended on the line of the track of which it is a prolongation.

Said Traction Company shall have the right to connect its street railway tracks with any and all terminals, stations, power and car houses and other buildings and structures which may be owned or used by said Traction Company in the operation of its said street railway system, and having obtained the consent of the Indianapolis Street Railway Company thereto, shall connect its system of street railways with the system of street railways in said City of said Indianapolis Street Railway Company where the lines of said Traction Company intersect or join the lines of said Indianapolis Street Railway Company, and at other convenient points in such a manner as that cars operated on the system of either said Traction Company or Indianapolis Street Railway Company may pass therefrom to and be operated upon the system of the other company, and may also connect its said system with any power or car houses or other buildings of said Indianapolis Street Railway Company, the use or possession of which said Traction Company may have by arrangement with said Street Railway Company.

5. The consent, permission and authority of said City are hereby given to said Traction Company, its successors and assigns, to sell, lease or otherwise dispose of the system of street railways which may be constructed by it in any of the streets hereinbefore described and in any street or streets of said City in which it may hereafter be permitted to construct lines of street railway and any and all terminals, power and car houses and any other property of said Traction Company, to the Indianapolis Street Railway Company, and thereupon the street railways of said Traction Company, with the terminals, power and car houses and other property so purchased, leased or otherwise acquired by said Indianapolis Street Railway Company, shall and may be maintained and operated by said company in connection with and as a part of its system of street railways in said City: and consent, permission and authority are also given to said Traction Company, its successors and assigns, to purchase, lease or otherwise acquire from the Indianapolis Street Railway Company, or by running or operating contract with said company to obtain the use of all or any part of the system of street railways, power and car houses and other property of said street railway company, and thereafter to maintain and operate the

system of street railways and other property or part thereof so acquired, in connection with its own system of street railways, as one system of street railways for and during the term limited by this contract for the maintenance and operation of its own system of street railways, and with the benefit of all the provisions, privileges and immunities of the contract under which said Indianapolis Street Railway Company is operating in said City, as well as of this contract, but subject, except as in this contract otherwise provided, to all of the obligations and conditions of said contract under which said Indianapolis Street Railway Company is operating.

6. Said Traction Company, in consideration of the grant hereby made, undertakes and agrees within twelve months from the date hereof, to construct and equip ready for operation a double track street railway in the parts of Ohio street, between Massachusetts avenue and Capitol avenue; Capitol Avenue, to Ohio street and Louisiana street; Georgia street, between Capitol avenue and Illinois street, and Pennsylvania and Delaware streets; and Delaware street, between Georgia and Maryland streets, and, subject to the consent of the Indianapolis Street Railway Company to connect the same with the tracks of said Indianapolis Street Railway Company in said streets, and also to extend and equip ready for operation double track street railways in such of the parts named in section one hereof of the streets, avenues and alleys within the district bounded by Ohio street, Capitol avenue, Georgia street and Delaware street, as are not occupied by tracks of said Indianapolis Street Railway Company, and to connect the same directly or by suitable curves with said line in Ohio street, Capitol avenue, Georgia street and Delaware street, and, also, with the consent of said Indianapolis Street Railway Company, with the tracks of said company within the district bounded by said last-mentioned streets and avenues, and extending therefrom in such manner as to afford in connection with the tracks of said Indianapolis Street Railway Company within and without said district, a line or lines of street railway by which the cars of all suburban and interurban railroad companies which are permitted so to do by the Board of Public Works and Common Council of said City, may pass in going to and from the central points or terminals in said City designated for said suburban or interurban railroad companies, without using lines in streets within said district which in the opinion of the Board of Public Works should not be used for that purpose, and so as to lessen the congestion of the streets within said district by the cars of such companies.

Said Traction Company shall as and when required by the Board of Public Works construct at any time after three and within five years from the date hereof, and thereafter maintain and operate a railway as herein provided in any or all of the parts of New York street between East and West streets, West street between Washington and South streets, South street between Delaware and East streets, and East street between South and Washington streets and Ohio and New York streets, and, with the consent of the Indianapolis Street Railway Company, connect the same in said streets and avenues with the tracks of the Indianapolis Street Railway Company therein; or if said line be not constructed in all of the parts of streets and avenues above described, the line as constructed therein shall be connected with the line constructed in the parts hereinbefore described of Ohio street, Capitol avenue, Georgia street and Delaware street. In either case said Traction Company may at any time, and shall, as and when required by the Board of Public Works at any time after three and within five years from the date hereof, extend single or double track street railways in the streets and avenues within the district bounded by the streets and avenues occupied by said line, and connect such tracks with said line and its other tracks within said district, and, with

the consent of the Indianapolis Street Railway Company, with the tracks of that Company within said district, which line shall also be connected, subject to the consent of the Indianapolis Street Railway Company, by suitable curves and switches with the tracks of said latter Company which are intersected or joined by said line, so that by means of said line the cars of all suburban and interurban street railroad companies may pass to and from the central points and terminals designated for the use of such companies without using any streets or parts of streets within said district which in the opinion of the city authorities should not be used.

7. Said Traction Company in further consideration of the grant hereby made, undertakes and agrees within three years from the date hereof to construct and equip and thereafter operate or procure to be operated a street car line and tracks of such character as shall be determined by the Board of Public Works, in Rural street between Roosevelt street and Urbana avenue, Urbana avenue between Rural street and Brookside Park, Beech street between Roosevelt street and Hillside avenue, Nineteenth street between Hillside and Central avenues, Thirtieth street between Illinois street and the bridge across White river in said Thirtieth street, and to connect such line between Central avenue and Illinois street in such other east and west street, or part thereof, not farther north than Thirtieth nor south than Nineteenth street as shall be designated by the Board of Public Works; also in Prospect street between Virginia and Madison avenues; Wilkins street between Madison avenue and West street, Morris street between Kentucky and River avenues, and West street between South and Washington streets, and, the Indianapolis Street Railway Company consenting thereto, to connect said lines and tracks with the tracks of said Company in said streets and avenues and intersecting streets and avenues, so as to form with the tracks of said Railway Company two substantially east and west lines, one in the northern and the other in the southern section of the City.

Said Traction Company further undertakes and agrees that when Bismarck avenue shall be extended to the Crawfordsville pike and the bridge over White river, known as the Emerichsville bridge, shall be reconstructed so as to be adapted to and safe for street railway use, it will, with the consent and permission of said City, construct and equip and thereafter operate or procure to be operated street car tracks and lines in said Bismarck avenue between the terminus of the tracks of the Indianapolis Street Railway Company now in said avenue and the Crawfordsville pike, and in the Crawfordsville pike by way of said bridge, and in Riverside Park to Eighteenth street in said park, connecting the same with the tracks of the Indianapolis Street Railway Company, if said company shall consent thereto.

Said Traction Company further undertakes and agrees, within three years from the date hereof, to construct and equip and thereafter operate, or procure to be operated, a street car track or tracks and line, of such character as shall be determined by the Board of Public Works, in Huron street between Virginia avenue and Shelby street, Shelby street between Huron street and Lexington avenue, Lexington avenue between Shelby and Harlan streets, Harlan street between Lexington and Woodlawn avenues, Woodlawn avenue between Harlan street and Keystone avenue, and Keystone avenue between Woodlawn avenue and Prospect street, and, the Indianapolis Street Railway Company consenting thereto, to connect the same with the street car tracks of said company in Virginia avenue and Prospect street.

8. Said Traction Company further undertakes and agrees to construct or procure to be constructed within eighteen months from the date hereof, and thereafter during the term of the maintenance and operation of its said system of street railways to be maintained and operated in

connection with such system a suitable and commodious passenger terminal in said City at a point within the district bounded by New York, Delaware and Georgia streets and Capitol avenue, the tracks and train sheds of which terminal, together with temporary waiting and baggage rooms shall be constructed and ready for use within twelve months from the date hereof; which said passenger terminal shall be accessible to any suburban or interurban railway company directly or by the lines hereinbefore provided to be constructed from the line which said company shall be permitted by the Board of Public Works and Common Council of said City to use in going to and from its central point and terminal in said city, and to permit said terminal to be used by said suburban or interurban railway company for all of the purposes of passenger traffic for which the same may be permitted to be used by the Board of Public Works and Common Council of said City, under such reasonable regulations as may be prescribed by said Traction Company, without discrimination in favor of or against or among or between any of said companies, and for such compensation as shall be agreed upon, or upon failure of agreement, as shall be fixed in the manner prescribed in said act of the General Assembly of March 3, 1899, for fixing the compensation to be paid by such suburban and interurban railway companies for the use of the tracks of the Traction Company. The right to such use by any suburban or interurban company shall be upon condition that the compensation for such use, agreed upon or fixed by the Court, shall be paid as and when it becomes due and payable, and that such reasonable rules and regulations shall be conformed to, and that for failure to so pay, or to conform to such rules and regulations, and so long as such failure shall continue, the suburban or interurban company so failing, may be excluded from such use.

9. And said Traction Company also agrees and binds itself, its successors and assigns, that it will permit the use of its track or tracks by any incorporated suburban or interurban railroad company authorized by the said act of March 3, 1899, from the corporate limits, or from the nearest connecting point within the corporate limits of said City of Indianapolis to some central point and terminal in such City for the purpose of discharging and receiving passengers, with the right of such company to run its cars thereon to some loop and return thereon out of said City whenever such use has been permitted by the Board of Public Works and Common Council of said City, by contract approved by ordinance, and the right is hereby reserved to the said Board of Public Works and Common Council to establish such central point and terminal where such passengers shall be received and discharged, and to designate the track or tracks to be used by said suburban or interurban railroad company in going to and from such central point, so to be established as aforesaid in such City.

That such use of said track or tracks shall be upon such conditions and under such regulations as the Board of Public Works and the Common Council of such City shall prescribe, and the terms as to compensation and the question as to the furnishing of power and the maintenance of service shall be determined in conformity to the provisions of section two (2) of the act entitled "An Act concerning street railroad companies in cities the population of which exceeds one hundred thousand," hereinbefore referred to: Provided, That nothing herein contained shall be so construed as to in any wise abridge or restrict the powers now had and held by said Board of Public Works and Common Council to exercise jurisdiction over the streets, alleys, avenues or bridges of said City, or to exercise their power to contract with other companies or corporations concerning the occupation or use of the same.

10. It is also agreed by and between the parties hereto that during the period for which this franchise is granted said Traction Company shall charge and receive the following rates of fare and no more: For

each passenger over the age of five (5) years who shall pay a cash fare, the sum of five cents, which cash payment shall entitle such passenger to ride to the end of the line on which he has taken passage, or, at the option of the passenger, he may demand and receive from the conductor of the car upon which he first took passage a transfer ticket without additional charge, which fare and transfer ticket shall entitle such passenger to ride upon said car upon which he has taken passage to the point where said line first intersects the line to which such passenger desires to be transferred, which shall be plainly indicated on said transfer ticket, and after arriving at said point of intersection such passenger may take passage on any car on the line indicated on his said transfer ticket, and on the surrender thereof to the conductor of such car shall be permitted to ride to the end of the last named line: Provided, that any such passenger holding such transfer ticket, must take passage on the line indicated therein within the distance of one square from the point of intersection aforesaid, upon the first car leaving such point after he has left the car on the line on which he first took passage; and provided, further, that if the cars of the line upon which such passenger first takes passage and those of the line to which he is transferred run upon the same track from the point of their intersection for a distance to a point where such lines diverge, then any such passenger holding any such transfer ticket may ride on the first named line either to the point of intersection as aforesaid, or at his option, may proceed in said car to the said point of divergence between said lines, where he may effect the transfer, under the restrictions and regulations aforesaid, but in no case shall a transfer be used to return for more than one square between the points of intersection and divergence.

The Board of Public Works of said City shall have the power at all times to fix and provide such reasonable rules and regulations for the transfer of passengers on the lines of said Company within such City as are necessary to insure the comfort and convenience of the public.

Every passenger car run and operated by said Traction Company on any of its said lines shall be provided with a conductor, who shall collect fares and attend to the convenience and comfort of the passengers upon such car. Each of such conductors shall constantly have in his possession an ample and adequate supply of tickets, to be sold and delivered to all passengers desiring the same, and said company shall charge and receive for the same during the period for which this franchise is granted the following rates, and no more; for six of such tickets, twenty-five (25) cents; for twenty-five (25) of such tickets, one dollar (\$1.00).

Any one of such tickets delivered or tendered by any person to the conductor of any such car shall entitle the person so delivering or tendering the same to ride the same distance and to the same privileges of transfer, and to all other privileges as though such person had paid to any such conductor the cash fare of five cents as aforesaid.

If any such passenger on any such cars shall desire to purchase tickets from the conductor thereof, and shall tender the sum of twenty-five (25) cents for six tickets or one dollar for twenty-five tickets, and such conductor, by reason of not having such tickets in his possession or for any other reason, shall fail to deliver such tickets on such demand or request therefor, then such passenger shall not be compelled to pay a cash fare, but shall on demand be carried without charge to his destination with right of transfer: Provided, that if, before he arrives at his final destination, any conductor shall tender said passenger the tickets first demanded by him at the rate herein prescribed, he shall be compelled either to purchase said tickets and surrender one of the same to said conductor for his passage, or pay a cash fare therefor.

It is expressly agreed and understood, however, that the right of said Traction Company to demand and receive the rates of fare herein

prescribed, or any fare whatever, is dependent upon the making and continuance in force of an arrangement between said Traction Company and the Indianapolis Street Railway Company whereby tickets issued by either company will be received in payment of fares by the other, and the payment to either company of a fare in cash or by ticket will entitle the passenger to a continuous ride with the same right to a single transfer from a line of one company to a line of the other as if both lines belonged to the company to which the fare was paid or by which the transfer was issued.

11. It is also agreed by and between the parties hereto, that the cars to be run and operated by said Traction Company, shall be propelled by electric power only, provided that the City hereby reserves to its Board of Public Works and Common Council the right to require by order and ordinance that such methods of propulsion shall at any time be introduced as will at all times during the entire period of operation hereunder insure to the citizens of said City first-class and efficient street railway service, it being the intention of the parties hereto, and is so agreed, that if by reason of inventions and discoveries during the period covered by this franchise, some other motive power superior to electric power shall come into use, and be adopted generally in other cities of substantially the same size as the City of Indianapolis, such improved motive power shall, upon the order and direction of the Board of Public Works and Common Council of said City, expressed in an order and ordinance duly passed and recorded, be adopted by said Traction Company, and used by it in the propulsion of its cars in said City, to the end that the street car service of said City may always throughout said period be first-class and efficient as aforesaid.

The electric system used in such propulsion shall be the overhead system now in use in said City, unless some other system shall be mutually agreed upon, or shall be required to be introduced as hereinbefore provided. The entire system used by said Traction Company and all the devices, means and apparatus used in the supply, application and use of the propelling power in all respects which shall in any manner affect or endanger the safety of the public, shall at all times be kept open to the inspection of and under the supervision of the Department of Public Safety of said City. When and as often as may be required by said Department of Public Safety, said Traction Company shall furnish to said Department a statement showing the amount of electro-motive force used and the strength of current conveyed or used upon its wires; and said Department shall at all times have the right to inspect and test the same, and order and require any such changes therein as may be necessary to insure, as far as possible, the safety of the public or prevent damage to any property; and the same powers are reserved to the said Department of Public Safety in case, during the period of this grant, other and improved motive power shall be introduced as hereinbefore provided.

12. Said Traction Company shall pave the space between all rails, including the space between its tracks where there are double tracks, switches or side-tracks, and for a distance of eighteen (18) inches on the outside of the outside rails of its tracks, and shall make all necessary repairs in said space, under specifications both as to material and manner as may be provided by the Board of Public Works, and shall repave the same when necessary and ordered by the said Board, and keep the same in repair, said paving and repairing to be done under specifications, both as to material and manner, as may be provided by the said Board, and under the supervision of the City Engineer of said City; and said company shall also keep in repair that part of the floors of all bridges or culverts crossed by any of its tracks which is situate between the outer rails of said tracks and for a distance of eighteen (18) inches on the outer side of such outer rails, and also the space between the tracks where there are double tracks; and in case of failure on the part of said

company to make any such improvement or repairs as aforesaid, either to streets, avenues or alleys or bridges as herein provided, upon reasonable notice by said Board, then the said Board of Public Works shall have the right to proceed to make any such improvement or repairs, and the cost of making the same shall be paid by said company to the City on demand, and the collection thereof enforced as any other valid debt.

And it is also agreed by and between said parties, that the Traction Company shall at all times during the period of this franchise keep on deposit in the city treasury, to the credit of the said Board of Public Works, the sum of one thousand dollars (\$1,000), to be designated as an Emergency Fund. Whenever, in the opinion of said Board of Public Works, an emergency arises for the immediate repair of any dangerous defect found to exist in that part of any street, alley, avenue or public place required by this contract to be kept in repair by said company, and the said company has failed on notice to immediately repair the same, the said Board shall cause said repair to be made at once, and if said company shall not promptly pay the bill for the cost of such repairs, when made out and presented at the office of said company in said City, then said Board may draw the amount of such bill from said emergency fund, which fund shall be reimbursed by said company without any delay and kept up to said amount of one thousand dollars as aforesaid.

This provision as to an emergency fund is in addition to all other provisions herein contained on the subject of repairing streets, and is not intended to modify or change any other provisions or penalties of this contract concerning the same.

13. In any case where the tracks, side-tracks, switches or turn-outs of any street railway line or lines of the said Traction Company are situated in any street, alley, avenue or public place in said City, and the said Board of Public Works shall by resolution order the improvement of that part of any such street, avenue, alley or public place not lying between the outside rails of any such tracks, side-tracks, switches or turn-outs, nor within eighteen inches on either side of such outer rails, and shall let a contract for the improvement of any such part of any such street, avenue, alley or public place, then the said company agrees and binds itself, its successors and assigns, that it will, on the request of said Board of Public Works, proceed to improve that part of such street, avenue, alley or public place that is situated between the outer rails of such outside tracks and the space between tracks where there are double tracks, side-tracks, switches and turn-outs, and within eighteen inches of said outer rails of such outer tracks, in the same manner and with the same material and under the same specifications that the improvement of the other part of such street, avenue, alley or public place is being made by the contractor to whom such contract has been awarded. That it will proceed with such improvement under the direction of the Board of Public Works and City Civil Engineer, with the same diligence that is shown by the said contractor, so that the said improvement to be so made by the said company shall be completed when the improvement of the other part of such street, avenue, alley or public place shall have been completed by any such contractor: Provided, That by agreement between said Board of Public Works and the said company, the said improvement to be made by said company may be constructed of other approved material under the order and supervision of said Board.

If in any such case the said improvement to be made by said company of the part of any such street, avenue, alley or public place aforesaid shall not be completed in accordance with the orders and specifications of said Board within twenty (20) days after the completion of the improvement of the other part of such street, avenue, alley or public

place made by such contractor, then the said Board of Public Works may cause the unfinished part of said improvement to be finished in accordance with the specifications for such improvement theretofore made, and the said Traction Company agrees and binds itself to pay to said City the full amount of the cost of such improvement, together with all costs of advertising and all other expenses growing out of its failure to complete such improvement within the time aforesaid.

14. It is also agreed by and between the parties hereto, that at all times during the period of the franchise hereby granted, the said City, through its Board of Public Works, may require such reasonable extensions of the several lines of street railway of the party of the second part, or the construction of all such new lines as may be necessary for the efficient operation of such railway and for the convenience of the public.

Whenever it shall appear to the said Board of Public Works, either from the petition of persons residing in any part of said City or otherwise, that the public interests demand the extension of any line of street railway already in operation, or the construction of a new line in and upon any streets, alleys, avenues or public places of said City, the said Board of Public Works shall cause written notices to be given to the President, Secretary, General Manager or Superintendent of said Traction Company, requiring said company, by its representatives, to appear before said Board on a day certain to be named in said notice not less than five days after the service of such notice, and show cause why the proposed extension should not be made or such proposed new line should not be constructed. The said notice shall contain a description of the streets, alleys, avenues or public places in or through which said extension or new line is proposed to be made or constructed. On the day and at the time named in such notice, said Board of Public Works shall give to the said company, if its representatives so desire, a full hearing on the question as to whether such proposed extension or the construction of such new line is necessary, either for the efficient operation of such railway or for the convenience of the public, and may be reasonably required. If the said company shall not appear before said Board at the time named in the said notice, such Board may act upon such evidence or information as it may have from any source.

If after hearing the representatives of said company at the time named in such notice, if any of such representatives appear, or if they do not appear, after advising itself from any other sources of information, it should appear to the said Board that the best interests of the public require such extension to be made or such new line to be constructed, and that the same may be reasonably required, it shall make an order requiring any such extension to be made or any such new line to be constructed, and in such order shall fix the time within which the said extension shall be made or such new line shall be constructed, which period of time so fixed shall in all cases be of sufficient length that the said Traction Company, by the exercise of reasonable diligence, may be able to make such extension or construct said new line within such time. The said Board shall cause written notice of any such order to be given to the said company, and if the said company shall fail or refuse to make such extension or construct such new line within the time fixed by said order, it shall forfeit to said City the sum of fifty dollars (\$50.00) for each day that the completion of such extension or new line is delayed beyond said period.

15. It is hereby distinctly agreed and understood by and between the parties hereto, that the City of Indianapolis, through its Board of Public Works, reserves the right at all times during the period of the franchise hereby granted to exercise such reasonable control over said

Traction Company, and the operation, maintenance and construction of its lines as will secure efficient and first-class service, and nothing contained in this contract shall be so construed as to abridge or restrict said right so reserved.

16. Said Traction Company agrees and binds itself, its successors and assigns, to operate or procure to be operated all its various lines of street railway in said City during the entire period for which this franchise is granted in such manner as to render to the public at all times first-class and efficient service; that its motive power shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish, at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or, subject to the approval of the said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life-guards, and with a sufficient number of electric bells, connections and buttons or knobs so that passengers may, without inconvenience, by the use thereof notify the conductor having charge of any such car of their desire to leave the same at the proper crossing; that each of such cars shall have thereon the name of the line or point of destination in letters of such size as shall be prescribed by the said Board of Public Works, so that the same may be readily discerned and read by persons of ordinary eyesight, and that at night each of such cars shall have displayed on the front end thereof the name of the line to which it belongs or its point of destination, which name or point shall be so illuminated or displayed as shall be prescribed by said Board of Public Works, that it shall be readily and easily seen and read by persons of ordinary eyesight; that the tracks of said lines shall at all times be kept in repair, provided with the most modern and improved rails, of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of said City to order any needed repairs to said tracks or roadbed, or cars, or appliances, and the said Traction Company agrees to comply with all such orders.

It is also agreed by and between the parties hereto, that the said Traction Company shall at all times during the period of this grant, run and operate or procure to be run and operated, upon and over each of its said lines a sufficient number of first-class and commodious passenger cars to accommodate the public.

The intervals between the running of cars on the several lines aforesaid shall be so arranged and changed from time to time as may be necessary to accommodate public travel thereon. The Board of Public Works of said City shall at all times have the right, by appropriate order, to prescribe such reasonable regulations as will insure compliance with this provision.

In case said Traction Company should fail to comply with any of the foregoing agreements and stipulations concerning the motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning alarm bells, life-guards, rails or roadbed, or any other stipulation contained herein concerning the operation, maintenance or construction of its lines of street railway, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed,

and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, then said company shall forfeit to said City the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected in a suit on the bond hereinafter required to be given by said company, or otherwise, as said Board of Public Works may elect: Provided, That nothing contained herein shall be construed as an attempt to in any wise abridge or restrict the power of the Common Council of said City to enact reasonable ordinances providing for the safety, comfort and convenience of the public traveling on lines of street railway in said City, also providing reasonable penalties for the violation thereof.

17. Said Traction Company hereby agrees and binds itself to keep and hold said City free and harmless from liability for any and all damages that may accrue to any person or persons on account of injury or damage to either person or property, growing out of the construction, improvement, maintenance and operation of the said company's cars and railway system under this contract, and in case suit shall be filed against said City, either independently or jointly with said company, on account thereof, said company, upon notice to it by said City, will defend said City against said action, and in the event of a judgment being obtained against said City, either independently or jointly with said company, on account of the acts of said company aforesaid, the said company will pay said judgment with all costs and hold the City harmless therefrom.

18. All poles, wires and fixtures used in and about said street railway plant and system shall be so placed and maintained by said Traction Company as not to interfere with the reasonable and proper use of the streets, avenues, alleys and public places in said City, and shall be subject to the approval of the Board of Public Works. The location of poles, wires and fixtures in said City may be changed under the provisions of this contract by reasonable orders of the Board of Public Works, as herein provided, or may be changed by said company with the approval of said Board and under its supervision and that of the City Civil Engineer.

The tracks of said Traction Company shall not be elevated above the surface of the streets, alleys, avenues or public places of said City, and the same shall be laid and maintained so as to conform to the established grades of such streets, alleys, avenues or public places as they shall from time to time exist; and in such manner as to be no unnecessary impediment to the ordinary use of such public thoroughfares, and the passage of wagons, carriages and other vehicles upon, along or across said tracks at any point, and in any and all directions; with suitable bridges at all gutters so as to permit the free and uninterrupted flow of water in and along said gutters.

All tracks and rails shall conform to the grade of the streets as now established, or as may hereafter be established by the said City, and be subject at all times to be taken up and relaid by said Traction Company at its expense whenever necessary for the purpose of regrading or paving or repairing said streets, constructing sewers, laying or repairing of water or gas pipes, or any other public improvements. In case said rails or tracks shall not conform to the grade of the street as above provided, and the Board of Public Works shall notify the said company thereof, and the said company shall fail to do the necessary work of making such tracks and rails conform to any such grade within thirty (30) days from the time of receiving said notice, then the Board of Public Works shall have the right to enter upon said tracks and make said repairs or improvement, and charge the cost thereof to said company; and in case the said Company fails to pay said expense within thirty (30) days after the said Board shall render a bill therefor, then

the said City shall have a right of action to recover such amount against the said company, and the said company shall be liable upon its bond, which is hereinafter provided for, for any such amount. And in case of such failure to pay any such bill, and suit is brought to recover the same, either upon said bond or otherwise, then the said City shall be entitled to recover, in addition to the amount of the cost of said repairs and improvement, reasonable attorney's fees:

Provided, however, That such notice shall not be given at times of year unsuitable for the doing of the work required, unless the condition of such tracks is such as to endanger the safety of passengers.

Provided, further, That in all cases where the tracks, poles or other structures of the Traction Company which are required to be taken up and relaid to enable water or gas pipes, conduits or other apparatus of any person, company or corporation other than the City to be relaid or repaired, were laid or constructed before those of such person, company or corporation, the entire expense of taking up and relaying the tracks, poles and other structures of the Traction Company shall be borne by such other person, company or corporation. All tracks maintained by the Traction Company shall be of uniform gauge. In case of a single track, the same shall be laid in the center of the street, except as herein otherwise provided, in all cases where it is practicable to so lay the same, and in all cases where a double track is laid or maintained, the track shall be so laid and maintained as will make the center point between the two tracks the center of the street in all cases where it is practicable; and said tracks shall not be laid or maintained within twelve feet of the sidewalk upon any street in any case where it is practicable to avoid it, and no double track, side-track, switches or turn-outs (excepting cases where turn-outs are used to connect tracks laid along and upon alleys with tracks laid along and upon streets) shall be laid or maintained upon any street or alley less than thirty feet in width, without special permission from the Board of Public Works: Provided, however, That if said Traction Company shall have its terminals, power houses or car houses located on any lot abutting on any such thirty-foot or less street or alley, it shall have the privilege of laying and maintaining turn-outs and tracks leading from such street or alley into such terminals, power and car houses.

19. Should it be necessary in the prosecution of any public work to temporarily stop the operation of cars, it may be done by order of the Board of Public Works, and in such case the city shall be held free from all claims for damages by reason of delay to the business or traffic of said Traction Company. But said Traction Company shall be required to operate, or procure to be operated, its lines of street railway continuously during the period of the existence of the franchise hereby granted, unless prevented from so doing by act of God, accidents or other causes not reasonably preventable.

In times of danger from fire or other cause, the Chief Engineer of the Fire Department, or any member of the Board of Public Safety may order any wire or wires belonging to said party of the second part to be cut and the electric current stopped until such danger is passed. The cars belonging to said Traction Company shall not at any time be allowed to run over any unprotected hose belonging to the Fire Department of said City. The emergency wagons of the Traction Company may be run upon the streets of said City at such speed as may be necessary, warning of their approach being given by the ringing of bells or sounding of gongs thereon.

20. No rights heretofore vested in any gas, water, light or other corporation, under contract with the City, and which are prior to rights acquired by the Traction Company as they existed before and at the time of the taking effect of this agreement, are to be impaired or in any way affected by anything herein contained, but the rights and

privileges hereby granted are subject thereto as to the construction and operation of lines on streets and parts of streets where such construction was originally made after the rights and privileges of such other corporation were granted and acted upon; and subject also to any future grants to any corporation to open the streets and public places of the City for necessary purposes; such rights to be exercised under the permission and direction of the Board of Public Works, and with no unnecessary inconvenience to said Traction Company, and any expense occasioned thereby to said company to be paid by such corporation.

21. It is also agreed by and between the parties hereto, that the said City of Indianapolis may at any time within two years and not later than one year before the expiration of this contract, and the period for which this franchise is granted, purchase of said Traction Company, its successors and assigns, its property of every description whatever, but the value of the franchise hereby granted shall not be included or considered in estimating the value of said property, it being the intention of the parties hereto that the value of said property to be agreed upon shall be the actual value thereof, independent of all franchise rights hereunder—the said City to pay nothing for franchise rights; and if the said City and the said company shall be unable to agree upon the terms of such purchase, then such City may file its petition in the Circuit Court of Marion County, Indiana, for a determination of the value of such property, in the manner provided and prescribed in section eight (8) of the act of the General Assembly of Indiana hereinbefore last referred to, which section is made a part of this contract by reference; and when the value of such property is so ascertained, such City of Indianapolis may, upon the expiration of this contract, after tendering the amount of the value of such property, as determined by said Court, at once take possession of such property, and operate such street railroad for its own use and purposes.

22. It is also agreed, in addition to any other penalties and forfeitures herein fixed and prescribed, that if said Traction Company should habitually, continually or continuously violate any of the provisions of this contract, or of the ordinance approving the same, or such other ordinances as may be passed by the Common Council of said City, under the provisions of the act of the General Assembly last referred to herein, then said company shall forfeit all its rights, title and interest in or to the use and occupancy of the streets, alleys, avenues and highways of said City for street railroad purposes, and its contract and franchise for the same shall be at an end and subject to forfeiture under the provisions of the said act.

23. Said Traction Company shall not use its lines and cars for freight carriage, or traffic other than passenger traffic, or the carriage of the United States mail, without the consent and approval of the said Board of Public Works. The said company shall have the right to haul upon its tracks its own or other cars containing supplies for its own or the said City's use, but it shall not have the right to haul baggage, express or freight cars or vehicles other than its own cars for passengers, nor cars for advertising purposes only, except as herein otherwise provided, and with the consent and approval of the said Board of Public Works as aforesaid.

24. Nothing contained herein shall be taken as conferring upon the Traction Company any rights to construct or operate underground, overhead or elevated railways.

25. Said Traction Company shall at all times so regulate the running of its cars as not to impede or obstruct public travel at intersections of streets, alleys and avenues of said City, and its cars shall be stopped clear of cross streets.

26. It is agreed and understood by and between said parties, that no transfer of passengers shall be made by said Traction Company

through or by means of a transfer car or other station established or maintained in any street or upon any avenue or public place.

27. It is also agreed by and between said parties, that any undertaking by or in the name of said City, or by any contractor for and with said City, for the improvement of any street, alley, avenue, sidewalk or crossing, or for the construction of any sewer or drain, or other public work, shall not be impeded by said Traction Company, its agents or employes, but said company shall do all in its power to advance such improvement by the moving of its tracks and poles and relaying and replacing the same, when it becomes necessary, at its own cost, as hereinbefore provided. Said City shall protect said company as much as possible by seeing that the contractor for any such public work does not intentionally, negligently or maliciously delay the same to the detriment of the said company.

28. Said Traction Company, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of twenty-five thousand dollars (\$25,000.00), with good and sufficient surety or sureties to be approved by the said Board of Public Works, conditioned that said company shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said City all penalties, forfeitures and other sums of money for which, under the terms of this contract, it may become liable to said City, and said bond shall be renewed from time to time during the period of this contract on the demand of the Board of Public Works of said City, whenever by reason of the insufficiency of the surety thereon, or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said City, the said Board deems such renewal necessary. In case said company shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish such additional security thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

29. It is expressly agreed by and between the parties hereto that each and all of the provisions now in force of the said act entitled "An Act concerning street railroad companies in cities the population of which exceeds one hundred thousand, repealing all laws in conflict therewith and declaring an emergency," which became a law without the signature of the Governor on the 3d day of March, 1899, shall be and they are by reference hereby made a part of this agreement as effectually and fully as though all of the provisions thereof were actually written herein.

30. In further consideration of the grant hereby and herein made, and as part payment therefor, said Traction Company, its successors and assigns, undertake and agree to pay to said City on the first day of January, 1903, and annually thereafter during the first eleven years of the term of this contract hereinafter provided, the sum of four cents per round trip for each and every round trip hereafter made in the year preceding the date of payment, the length of which trip, upon tracks laid in streets, avenues, alleys or other public places within the corporate limits of said City as they exist at the date of this contract, was made four-fifths or more exclusively upon tracks of the Traction Company and Indianapolis Street Railway Company, or either of said companies, by any interurban street railway car in going to and from a central point and terminal in said City under permission of the Board of Public Works and Common Council of said City, granted pursuant to the provisions of the act of the General Assembly of March 3, 1899, hereinbefore referred to, or of any act subsequent thereto, and in which trip use was also made of any

terminal provided by said Traction Company for the use of interurban companies; and thereafter annually during the next ten years, the sum of six cents per round trip for each and every round trip so made by any such car during such period; and for the remainder of the term of this contract said Traction Company, its successors and assigns, undertake and agree to pay as aforesaid the sum of nine cents per round trip for each and every such trip so made by any such car.

The President of the Traction Company, or other executive officer thereof, shall at the time of any such payment file with the City Comptroller a sworn statement of the total number of round trips so made by each car of each such interurban company during the year or period for which the payment is to be made.

In consideration of the aforesaid undertaking an agreement of the Traction Company to make such payments, and of such payments, said City undertakes and agrees that it will not at any time impose upon or exact from said Traction Company, its successors or assigns, or its or their property, or require to be paid by it or them, any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge, than those above provided to be paid. But nothing contained in this contract shall affect the liability of said company to general taxation, or the obligations of the Indianapolis Street Railway Company under Section 12 of the contract and ordinance of April 7, 1899, between said Railway Company and said City to make the payments therein provided to be made to said City.

Provided, That the right of said City during the whole period of this contract to enforce against the franchise granted by said contract and ordinance of April 7, 1899, and all the street railway property and system now owned and operated by the Indianapolis Street Railway Company, all the provisions of said contract and ordinance requiring the annual payment of the sums of money named in said Section 12 thereof, and the penalties in said contract and ordinance provided for the failure to pay the same, shall be and is hereby recognized and conceded.

31. The right hereby granted to said Traction Company to construct or acquire, and to maintain and operate street railway lines in said City, whether of its own construction or purchased, leased or otherwise acquired, shall continue until the 7th day of April, 1933, and all terms, conditions and covenants of this contract shall be binding and conclusive for that period on both the parties hereto, but all such rights, conditions and covenants are hereby expressly limited to said period, which shall begin on the taking effect of this contract and end on the 7th day of April, 1933.

This limitation of time is agreed to be one of the chief considerations for the grant hereby made, and said Traction Company, recognizing and conceding that such limitation of time as herein expressed is one of the essential and governing conditions of this contract, does hereby bind itself, its successors and assigns, that at the expiration of said period it will peaceably yield possession of every part of every street, alley, avenue and public place in said City then occupied by any of its system or lines of street railway, and every part thereof, and from thenceforward will make no claim of any kind to exercise any right whatever under the grant herein made, or under any charter or corporate right, and any rights which might be claimed by said company, or its successors or assigns, to hold beyond said period of time, under the statute under which it was incorporated, or any enactment prior to this date, or which have or might have been derived from any other source are herein and hereby expressly waived.

And said Traction Company agrees and binds itself, its successors and assigns, that it will not execute any mortgage or mortgages, or create any other liens to secure any bonds or other evidences of indebtedness, which shall mature after the period above fixed at which

the franchise granted herein shall expire, and if at any time during the existence of this contract any such mortgage is executed, or any such lien created, then all the rights of said Traction Company herein conferred shall cease and determine, and said Company shall at once yield peaceable possession of all parts of every street, alley, avenue or public place occupied by any part of its said street railway system.

In Testimony Whereof, Said parties have hereunto set their hands and seals this 11th day of August, 1902.

THE CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,
Its Board of Public Works.

CHARLES A. BOOKWALTER,
Mayor.

INDIANAPOLIS TRACTION AND TERMINAL COMPANY,
[Seal.]

By W. KESLEY SCHOEPP,
President.

Attest:

JOHN D. THOMSON,
Secretary.

And, Whereas, said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said City for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement, made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, be and the same is in all things ratified, confirmed and approved, and said Indianapolis Traction and Terminal Company be and the same is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

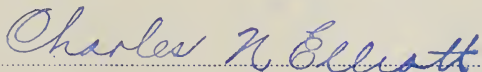
Which was read a first time and referred to Committee on Contracts and Franchises.

On motion of Mr. Sourbier, the Common Council at 7:45 o'clock adjourned.



President Pro Tem.

ATTEST:


City Clerk.

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SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
THURSDAY, August 14, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday evening, August 14, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

Indianapolis, August 13, 1902.

To the City Clerk and President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as the Mayor of the City of Indianapolis, Indiana, under Section 45 of the City Charter of said City, a special meeting of the Common Council of said City is hereby called, to meet at the hour of 7:30 p. m., on August 14, 1902, in the Council Chamber in said City, for the purpose of taking action on and passing the following ordinances:

G. O. No. 50, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis Northern Traction Company.

G. O. No. 51, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Union Traction Company.

G. O. No. 52, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis, Greenwood and Franklin Railroad Company.

G. O. No. 53: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis, Lebanon and Frankfort Traction Company.

G. O. No. 54, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis and Plainfield Electric Railroad Company.

G. O. No. 55, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis and Martinsville Rapid Transit Company.

G. O. No. 56, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis, Shelbyville and Southeastern Traction Company.

G. O. No. 57, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis and Eastern Railway Company.

G. O. No. 60, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis Traction and Terminal Company.

And the City Clerk is hereby notified and directed to forthwith serve a copy of this notice on each and every member of the Common Council of said City, and make due return of such service at said special meeting.

Very truly yours,

C. A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 17 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent, 3, viz.: Messrs. Holliday, Wolsiffer, and President Haldeman.

REPORTS FROM STANDING COMMITTEES.

Mr. Negley, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 60, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said Company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon the streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Made the following report:

Mr. President—We, your Committee on Contracts and Franchises, to whom was referred G. O. No. 60, 1902, ratifying the contract and franchise of the Indianapolis Traction and Terminal Company, as now presented to this Common Council in its amended form, beg leave to report that we have had said contract and said ordinance under consideration; and we recommend that said ordinance do pass.

H. E. NEGLEY,
J. L. MCFARLAND,
LEW W. COOPER,
GUSTAV J. T. MEYER,
J. S. HOLLIDAY,
ED. G. SOURBIER,
ANDREW H. WAHL,

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Negley, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 50, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its

Board of Public Works, and the Indianapolis Northern Traction Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Also—

G. O. No. 51, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Union Traction Company of Indiana, whereby said Company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Also—

G. O. No. 52, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Greenwood and Franklin Railroad Company, whereby said Company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Also—

G. O. No. 53, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Lebanon and Frankfort Traction Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Also—

G. O. No. 54, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered

into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Plainfield Electric Railroad Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and to build, construct, maintain and operate its railroad over and across certain streets and alleys, and fixing the time when the same shall take effect.

Also—

G. O. No. 55, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Martinsville Rapid Transit Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Also—

G. O. No. 56, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Also—

G. O. No. 57, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Eastern Railway Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and

upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Made the following report:

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Contracts and Franchises, to whom was referred General Ordinances Nos. 50, 1902; No. 51, 1902; No. 52, 1902; No. 53, 1902; No. 54, 1902; No. 55, 1902; No. 56, 1902; and No. 57, 1902, beg leave to report that we have had said ordinances, and the contracts accompanying them, under consideration; and, after due examination, we recommend that all of said ordinances do pass.

H. E. NEGLEY,
J. L. McFARLAND,
LEW W. COOPER,
GUSTAV J. T. MEYER,
ED. G. SOURBIER,
ANDREW H. WAHL.

Which was read and, on motion of Mr. Negley, concurred in.

On motion of Mr. Negley, the Common Council proceeded to the following order of business:

ORDINANCES ON SECOND READING.

On motion of Mr. Negley, the following ordinance was taken up and read a second time:

G. O. No. 60, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Traction and Terminal Company, whereby said Company is authorized to construct, own, hold and maintain a certain system of electric street railways in and upon certain streets of the City of Indianapolis, and fixing a time when the same shall take effect.

Messrs. Holliday and Wolsiffer arrived at 8:10 o'clock, and took their seats.

On motion of Mr. Negley, G. O. No. 60, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Negley, the following ordinance was taken up and read a second time:

G. O. No. 51, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and

through its Board of Public Works, and Union Traction Company of Indiana, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 51, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 50, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Northern Traction Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 50, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Negley, the following ordinance was taken up and read a second time:

G. O. No. 52, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Greenwood and Franklin Railroad Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 52, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 53, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Lebanon and Frankfort Traction Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 53, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 1, viz.; Mr. Moriarity.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 54, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Plainfield Electric Railroad Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and to build, construct, maintain and operate its railroad over and across certain streets and alleys, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 54, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Negley, the following ordinance was taken up and read a second time:

G. O. No. 55, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Martinsville Rapid Transit Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 55, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 56, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Shelbyville and Southeastern Traction Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 56, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Negley, the following ordinance was taken up and read a second time:

G. O. No. 57, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis and Eastern Railway Company, whereby said Company is authorized to run and operate its interurban cars into said City along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 57, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Sourbier, the Common Council, at 10 o'clock, p. m., adjourned.

ATTEST:

Charles H. Elliott
City Clerk.

W. R. Rhodes
President Pro Tem.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, August 18, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, August 18, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent, 2, viz.: Messrs. Holliday and Wolsiffer.

The Clerk proceeded to read the Journal, whereupon Councilman Wheeler moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

Indianapolis, August 11, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 42, 1902: "An ordinance approving a certain contract granting E. C. Atkins & Company, of the City of Indianapolis, the right to construct a switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street, in the City of Indianapolis, Indiana, and fixing a time when same shall take effect."

G. O. No. 41, 1902: "An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a switch or sidetrack along Louisiana street, in the City of Indianapolis, being in lieu of and to supersede G. O. No. 22, 1902: An ordinance approving a certain contract giving James L. Keach the right to lay and maintain a

sidetrack across McGill street in the City of Indianapolis, Ind., and repealing said last named ordinance."

G. O. No. 40, 1902: "An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and the Citizens' Heat and Light Company."

App. O. No. 22, 1902: "An ordinance appropriating the sum of \$2,000 for the Department of Public Health and Charities, and fixing a time when the same shall take effect."

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
City of Indianapolis.
Indianapolis, August 16, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 50, 1902: "An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis Northern Traction Company."

G. O. No. 51, 1902: "An ordinance ratifying an agreement between the City of Indianapolis and the Union Traction Company of Indiana."

G. O. No. 54, 1902: "An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis and Plainfield Electric Railroad Company."

G. O. No. 55, 1902: "An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis and Martinsville Rapid Transit Company."

G. O. No. 56, 1902: "An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis, Shelbyville and South-eastern Traction Company."

G. O. No. 60, 1902: "An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis Traction and Terminal Company."

Very truly yours,
C. A. BOOKWALTER,
Mayor.

Which were read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS.
Office of the Board,
Indianapolis, August 14, 1902.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit for your consideration and action thereon an ordinance ratifying, confirming and approving a certain contract this day made by the City of Indianapolis, by and through its

Board of Public Works, and the Lafayette and Indianapolis Rapid Railway Company.

Respectfully,

HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.

Indianapolis, August 18, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon an ordinance ratifying, confirming and approving a certain contract made on the 11th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Crown Hill Cemetery.

Respectfully,

HAROLD C. MEGREW,
CHAS. MAGUIRE,
Board of Public Works.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Billingsley, on behalf of the Committee on Fees and Salaries, to which was referred G. O. No. 43, 1902: An ordinance grading certain members of the fire force of the city of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

Made the following report:

Indianapolis, Ind., August 18, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to whom was referred G. O. No. 43, 1902, recommends that said ordinance be passed, after being amended as follows:

Section 1. Amend to read: Be it ordained by the Common Council of the City of Indianapolis, That the members of the fire force of the City of Indianapolis, holding the positions of stokers, drivers, hosemen, laddermen, linemen, tower watchmen, and telephone operators, are hereby graded, according to their length of service, into three grades:

On and after the 1st of January, 1903, all the aforesaid members shall constitute first grade; all members of said fire force appointed after

1st of January, 1903, shall serve one year as third grade, and two years as second grade, before becoming members of first grade: Provided, That all persons appointed as members of aforesaid fire force, after serving as substitute firemen, shall have said time served as substitutes deducted from time necessary to be served as members of third and second grades in their advancement to membership in first grade.

Amend section 3 to read: The annual pay of the officers and members of said fire force, not provided for in section 2, above, shall be as follows, viz.:

The chief of the fire force shall receive a salary at the rate of two thousand dollars per annum; the first assistant chief of the fire force shall receive a salary at the rate of fourteen hundred dollars per annum; the second assistant chief of the fire force shall receive a salary at the rate of thirteen hundred dollars per annum; the superintendent of telegraph shall receive a salary at the rate of fifteen hundred dollars per annum; the assistant superintendent of telegraph shall receive a salary at the rate of twelve hundred dollars per annum; each captain shall receive a salary at the rate of one thousand dollars per annum; each lieutenant shall receive a salary at the rate of nine hundred and twenty-five dollars per annum; each engineer shall receive a salary of nine hundred and twenty-five dollars per annum; the chief telephone operator shall receive a salary at the rate of nine hundred and twenty-five dollars per annum.

J. H. BILLINGSLEY,
W. A. RHODES,
C. H. WARWEG.

Which was read and, upon motion of Mr. Billingsley, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 21, 1902: An ordinance appropriating the sum of two thousand sixty-five dollars and fifty cents (\$2,065.50) for the Department of Public Safety, and fixing a time when the same shall take effect.

Made the following report:

Indianapolis, July 31, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom has been referred App. O. No. 21, 1902, has had same under consideration and recommends that the same do pass.

T. A. WYNNE,
W. A. RHODES,
J. E. BERRY,
FRED. W. EPPERT,
JAMES D. MORIARITY,
JNO. H. CRALL,
B. F. WYSONG.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 45, 1902: An ordinance authorizing and directing the transfer of the sum of five thousand

dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Made the following report:

Indianapolis, July 31, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom has been referred G. O. No. 45, 1902, has had same under consideration and recommends that the same do pass.

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
FRED. W. EPPERT,
JNO. H. CRALL,
JAMES D. MORIARITY,
J. E. BERRY.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 48, 1902: An ordinance authorizing and directing the transfer of the sum of two thousand dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Made the following report:

Indianapolis, August 15, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom has been referred G. O. No. 48, 1902, has had same under consideration and recommends that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
W. A. RHODES,
FRED. W. EPPERT,
JAMES D. MORIARITY,
J. E. BERRY.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Negley, on behalf of the Committee on Judiciary, to which was referred the communication of Mayor Bookwalter, asking authority to employ additional legal counsel to represent the city of Indianapolis in the litigation against the Indianapolis Gas Company (see pages 402 and 403).

Made the following report:

Indianapolis, August 18, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Judiciary, to whom was referred the communication from the Mayor of the City of Indianapolis, recommending that authority be granted him to employ special counsel to assist the City Attorney in the prosecution of the pending and proposed litigation between the Indianapolis Gas Company and said City, to the end that said gas company's right to discontinue its service of natural gas to the citizens of said city might be finally determined, has been considered by this committee.

We find upon examination that, in litigation of such magnitude and importance to the public as this will be, it has been the custom of former administrations to employ special counsel to assist the City Attorney in the prosecution of such litigation. We are further of the opinion that the proposed litigation between said gas company and the City of Indianapolis will be very strongly contested on the part of said Gas Company, and will be handled by the most eminent counsel the company may be able to employ. We also find that the Law Department of the city is now very busily engaged in litigation already pending in which said city is interested, other than the questions now involved.

We are therefore of the opinion and we recommend that this Common Council should by ordinance authorize the Mayor and City Attorney to employ special counsel to assist in the above named litigation; such special counsel to be compensated in such manner and form as may be provided by proper ordinance, or ordinances, duly passed by this body.

H. E. NEGLEY,
FRED. W. EPPERT,
M. C. KELLY.

Which was read and, on motion of Mr. Crall, laid on the table.

Mr. Cooper, on behalf of the Committee on Railroads, to which was referred G. O. No. 58, 1902: An ordinance requiring a flagman at the crossing of Fletcher avenue and the Cleveland, Cincinnati, Chicago and St. Louis Railway Company.

Made the following report:

Indianapolis, August 18, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee to whom G. O. No. 58, 1902, was referred, recommends that same do pass.

LEW W. COOPER,
T. A. WYNNE,
J. H. BILLINGSLEY,
JNO. WOLSIFFER.

Which was read and, on motion of Mr. Cooper, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

G. O. No. 61, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 14th day of August, 1902, between the city of Indianapolis, by and through its Board of Public Works, and the La Fayette and Indianapolis Rapid Railway Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the City of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: on the 14th day of August, 1902, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the La Fayette and Indianapolis Rapid Railway Company, namely:

THIS AGREEMENT, made and entered into this, the 14th day of August, 1902, by and between the City of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the La Fayette and Indianapolis Rapid Railway Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part.

WITNESSETH: That, Whereas, The said The La Fayette and Indianapolis Rapid Railway Company, has presented its written petition to the Board of Public Works of said city of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning Street Railroad Companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, Therefore, The said Board of Public Works of said City of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, and empower and permit the said The La Fayette and Indianapolis Rapid Railway Company, subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over the tracks of the Indianapolis Street Railway Company and

the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Beginning at the loop where the line of said Indianapolis Street Railway Company, known as the Blake and Prospect street line terminates in Riverside Park, near the bridge across White river in Thirtieth street, thence by way of Riverside Park, Twenty-Seventh street, Schurmann avenue, twenty-first and Montcalm streets, Indiana avenue, Locke, Walnut, Blake, New York, West and West Washington streets to Illinois street for a terminal point, thence returning by South Illinois, Georgia, Meridian, Washington, West. New York and Blake streets, Indiana avenue, Montcalm and Eighteenth streets and Riverside Park to the place of beginning aforesaid.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street, on the north; South street, on the south; East street, on the east; and West street on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

In Illinois street, between Washington and Louisiana streets, and in Louisiana street, between Illinois street and Capitol avenue, and in Capitol avenue by the loop to the Louisiana street barn, thence returning by the same route to the terminal point at the intersection of Washington and Illinois streets.

The above grant is made upon the following express conditions:

1. That after entering the City of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the City of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the City of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its

designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time: and, Provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section five, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: and provided further, that such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city, to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect

with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then, and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or

its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a head-light, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order any needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or

the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to such city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation.

without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the City of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness Whereof, said parties have hereunto set their hands and seals this 14th day of August, 1902.

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
CHAS. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

THE LA FAYETTE AND INDIANAPOLIS RAPID RAILWAY
COMPANY.

By WILLIAM C. MITCHELL,
President.

[Seal.]

Attest:

CHARLES E. RUGER.

Acting Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That the foregoing contract and agreement made

and entered into on the 14th day of August, 1902, by the city of Indianapolis, by and through its Board of Public Works, and the La Fayette and Indianapolis Rapid Railway Company be and the same is hereby in all things ratified, confirmed and approved, and said The La Fayette and Indianapolis Rapid Railway Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Board of Public Works:

G. O. No. 62, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Crown Hill Cemetery, a corporation, whereby said Crown Hill Cemetery agrees to pay, or reimburse the City of Indianapolis, that proportion of the construction of the sewer in Northwestern avenue and Twenty-fourth street from Fall Creek to Thirty-second street, which the city would be compelled to pay in the absence of such agreement, by reason of the law prohibiting the assessment of any lands within the limits of said cemetery for such purpose, which proportion is forty-four (44) per cent. of seventy-six (76) per cent. of the total cost of the construction of said sewer; and fixing a time when the same shall take effect.

WHEREAS, heretofore, to wit: On the 11th day of August, 1902, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Crown Hill Cemetery, viz.:

THIS AGREEMENT, made and entered into by and between the Board of Public Works of the City of Indianapolis, party of the first part, and Crown Hill Cemetery, a corporation organized and acting under and pursuant to the laws of the State of Indiana, this 11th day of August, 1902,

WITNESSETH: That, Whereas, The City of Indianapolis had in contemplation prior to the 21st day of July, 1902, the construction of a sewer in Northwestern avenue and Twenty-fourth street, from Fall Creek to Thirty-second street, at the northern extremity of which it was proposed to make connection with a certain drain from the grounds of Crown Hill Cemetery; and, whereas, under the statutes of the State of Indiana, the City of Indianapolis had no power to assess any lands within the limits of said cemetery for the construction of said sewer, and desired the cemetery to aid in such construction; and, whereas, said Crown Hill Cemetery was not willing to engage to pay any portion of the expense of the construction of such sewer in Northwestern avenue unless contemporaneously with the construction of such sewer in Northwestern avenue said City of Indianapolis would construct a branch thereof, connecting with the main sewer in Northwestern avenue at Twenty-eighth street and running thence east and north upon a route to be settled by the city so as to reach the southeastern portion of the lands owned by said Crown Hill Cemetery, and connect the same with the lands of said cemetery at that point in such a manner as would

afford said cemetery effectual drainage; and, whereas, the lands owned and held by said Crown Hill Cemetery would be benefited by the construction of such sewer as thus proposed; and, whereas, the said City of Indianapolis agreed thus to construct such sewer as an entirety, and to give such connections at the northern extremity of both such main sewer and branch thereof; and, whereas, said City of Indianapolis, to accomplish that end, has adopted the necessary declaratory resolution as modified, for the construction of said sewer as an entirety, which resolution is designated as No. 187, 1902, and has caused plans and specifications for the construction of such sewer to be prepared, which are now on file in the office of the Board of Public Works of said city, and has advertised for such bids, and propose to proceed to let a contract for such construction, and to proceed with the construction of such sewer; and, whereas, the Board of Public Works has determined that twenty-four per cent. of the total cost of the construction of such sewer should be considered as the cost of a local sewer, and the remainder, to wit, seventy-six per cent. should be considered as the cost of a district sewer to be assessed and collected accordingly:

Now, therefore, this agreement is to witness that in consideration of the premises, and that said City of Indianapolis shall proceed to let such contract and cause said sewer to be constructed, and make the necessary connection with the lands of said Crown Hill Cemetery at the northern extremities of each branch of said sewer according to said plans and specifications, the said Crown Hill Cemetery has agreed, and does hereby agree, to pay to and reimburse the City of Indianapolis the cost of such construction to the extent of forty-four per cent. of the seventy-six per cent. of the cost of such construction determined by said Board of Public Works to be assessed and collected as and for the sewer as a district sewer; such payment and reimbursement to be made by the Crown Hill Cemetery immediately upon the completion of the construction of such sewer, and its acceptance by the City of Indianapolis.

This contract shall be in force and operative from and after its approval endorsed hereon by the Common Council of the City of Indianapolis.

In Witness Whereof, the Board of Public Works of the City of Indianapolis have hereunto set their hands and the Crown Hill Cemetery has caused this instrument to be executed in its name and on its behalf by George B. Yandes, its President, and the due execution thereof to be attested by Robert W. Cathcart, its Secretary, and its corporate seal hereto attached, this day and year first above written.

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works of the City of Indianapolis.

[Seal.]

THE CROWN HILL CEMETERY,
By GEO. B. YANDES,

President.

Attest:
ROBERT W. CATHCART,

Secretary.

Approved by the City of Indianapolis this 11th day of August, 1902.

CHAS. A. BOOKWALTER,
Mayor.

And whereas, said contract and agreement has been submitted by said Board of Public Works of the City of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the foregoing contract and agreement made

and entered into on the 11th day of August, 1902, by the City of Indianapolis, by and through its Board of Public Works, and the Crown Hill Cemetery, be and the same is hereby in all things ratified, confirmed and approved, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Negley:

G. O. No. 63, 1902: An ordinance to regulate and license the business and practice of fortune-tellers, astrologists, palmists, and all other persons (except weather forecasters) who assume to foretell future events, and charge a fee or compensation therefor, providing a penalty for the violation thereof, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that it shall, except as hereinafter otherwise provided, hereafter be unlawful for any person or persons to engage in the business or practice of fortune-telling, palmistry, astrology, or in any manner assuming to forecast future events, for a compensation, hire or fee, without having first obtained a license therefor from the said City of Indianapolis, through the Comptroller thereof: Provided, however, that weather forecasting by the system in use by the United States Government is expressly hereby excepted.

Sec. 2. The license fee to be hereafter paid to the City of Indianapolis, Indiana, by all and any persons practicing the business of fortune-telling, palmistry, astrology, or forecasting future events, for hire, compensation or fee, other than weather forecasting, shall be one hundred (100) dollars per year, beginning with and payable on the first day of January of each year. And no deduction shall be allowed for any period of a given year which may have elapsed before application for such license is made.

Sec. 3. Any person or persons violating any of the provisions of this ordinance shall be fined in any sum not less than ten (10) dollars, nor more than fifty (50) dollars; and each day on which such violation shall continue shall be construed as a separate offense hereunder.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Daily Reporter, a newspaper printed and published, and of general circulation, in the City of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Warweg:

G. O. No. 64, 1902: An ordinance changing the name of Peru avenue to Davidson street.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana that the name of that avenue, or street, in said city now known as Peru avenue be and the same is hereby changed to

Davidson street, which shall hereafter be the name of such street or avenue.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Warweg:

G. O. No. 65, 1902: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company to station a flagman at the corner of East North street and the railroad tracks of said company, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company is hereby required to maintain a flagman at the corner of East North street and the tracks of said company in the City of Indianapolis. In case said company shall violate or refuse to comply with the requirements of said ordinance, it shall, upon conviction thereof, be fined in any sum not less than fifty dollars nor more than one hundred dollars, and each day's continuance of such violation shall constitute a separate offense.

Sec. 2. This ordinance shall be in full force and effect from and after its passage, and the publication one day each week for three successive weeks in the Daily Reporter, a newspaper of general circulation, printed and published in the City of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Railroads.

Mr. Wolsiffer, absent at roll-call, arrived.

MISCELLANEOUS BUSINESS.

Under this order of business the following communication was read:

Indianapolis, August 8, 1902.

City Council of Indianapolis:

I hereby prepare this effort to prevent bicyclists from riding wheels at full speed when crossing streets, as it is extremely dangerous and should be prohibited, as I have a painful bruise on the right arm, between the wrist and elbow, caused by a collision at the corner of South and Illinois streets at 5:30 o'clock this afternoon, and I am desirous that the Council call the bicyclists' attention to this fact and cause said wheelmen to check speed and give warning by ringing the bell in ample time to give persons walking sufficient time to get completely out of danger.

Respectfully,

WILLIAM H. STEVENS,
352 South Illinois street.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 21, 1902: An ordinance appropriating the sum of two thousand sixty-five dollars and fifty cents (\$2,065.50) for the Department of Public Safety, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 21, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 45, 1902: An ordinance authorizing and directing the transfer of the sum of five thousand dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 45, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 48, 1902: An ordinance authorizing and directing the transfer of the sum of two thousand dollars from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 48, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.

Noes: None.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

- G. O. No. 58, 1902: An ordinance requiring a flagman at the crossing of Fletcher avenue and the Cleveland, Cincinnati, Chicago and St. Louis Railway Company.

On motion of Mr. Cooper, G. O. No. 58, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes. 20, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Haldeman.
Noes: None.

UNFINISHED BUSINESS.

Mr. McFarland moved that the following entitled ordinance be called from the Committee on Contracts and Franchises, and referred to another committee:

- G. O. No. 29, 1902: An ordinance to ascertain and fix the price at which natural gas shall be supplied to the inhabitants of the city of Indianapolis.

Which motion prevailed, and President Haldeman referred G. O. No. 29, 1902, to Committee on Public Health.

On motion of Mr. Rhodes, the Common Council, at 8:40 o'clock p. m., adjourned.

P. M. Haldeman
President.

ATTEST:

Charles N. Ellis
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, September 1, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, September 1, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, and 6 members, viz.: Messrs. Berry, Cooper, Meyer, McFarland, Negley and Sourbier.

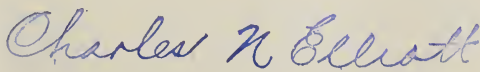
Absent, 14, viz.: Messrs. Billingsley, Crall, Eppert, Holliday, Kelly, Moriarity, Shea, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong and President Haldeman.

There being no quorum present, the Council, on motion of Mr. Cooper, adjourned.



President Pro Tem.

ATTEST:



City Clerk.

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SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, September 8, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, September 8, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

Indianapolis, September 5, 1902.

To the City Clerk, President and Members of Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under section 45 of the city charter, of said city, a special meeting of the Common Council, of said city, is hereby called to meet at the hour of 7:30 p. m., on September 8, 1902, in the council chamber of said city, for the purpose of introducing, considering and taking action on the following ordinances:

A general ordinance fixing the tax levy for the year 1903; a general ordinance transferring \$2,050 from the "Fire Force" pay-roll account to certain other fire force accounts; an appropriation ordinance appropriating \$1,000 for equipment for the inspector of scales, weights and measures; the annual general appropriation ordinance; and an ordinance ratifying a contract between the City of Indianapolis and the Indianapolis Union Railway Company to lay a switch across the first alley east of Rural street.

And, also, to receive the message of the Mayor submitting the annual tax estimates and appropriations, and the recommendations of the City Comptroller thereon.

Very truly yours,

CHARLES A. BOOKWALTER.

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 17 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. Eppert, Holliday and President Haldeman.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

To the President and Members of the Common Council:

Gentlemen—I have the honor to submit herewith an estimate of the amounts of money required for the use of the various departments of the city government for the fiscal year commencing January 1st, 1903, such estimates having been prepared after consultation with the City Comptroller and the various boards of the city government. An examination of these figures will show that the total revenues estimated to be necessary aggregate \$1,416,411.80, being an increase in the amount to be raised by taxation and from other sources during the ensuing year of \$213,901 over the amount levied during the year 1902, as provided for in the levy made in September, 1901.

It is with a feeling of considerable reluctance that I have brought myself to approve this increase and to recommend to your honorable body that a tax levy of eighty-six cents on each hundred dollars of taxable property and fifty cents on each poll be laid for city purposes for the ensuing year; but I am satisfied that a careful study and review of the condition of the city treasury which prevailed in October, 1901, at the commencement of the present administration, will satisfy every believer in good government that the time has come in Indianapolis for a change in the financial policy which has prevailed prior to said date. I have always been and am now a believer in the lowest possible taxation consistent with good business management, and consider it the duty of every public official charged with the expenditure of public money to exercise the same care and economy in such expenditure as he would if he were disbursing his own funds. I firmly believe that the people have the right to look to their representatives, not only for an economical discharge of their duties, but to exercise the utmost caution in increasing in any way the naturally onerous burdens of taxation; but I have never been an advocate of the policy of borrowing to-day to meet current expenses and obligations of to-morrow, thus not only spending the substance of to-day, but mortgaging the future. There must always come a day of reckoning. I believe that it is the best policy for a municipality to be managed like any other business enterprise, and it would not be considered good business management for any corporation or mercantile establishment to borrow money to meet current expenses rather than curtail dividends to stockholders, or call upon such stockholders to advance funds sufficient to maintain the solvency of the enterprise.

In October, 1895, at the commencement of the six years above mentioned, there was a cash balance in the city treasury with no unpaid city obligations outstanding, other than incidental bills for the previous month, and no part of the taxes due the month following in any way anticipated. During the succeeding six years, not only were all the revenues expended, but repeated bond issues made for the purpose of making those necessary improvements which should have been provided for in the tax levies of the various years, while at the same time all kinds of city property were allowed to deteriorate. In addition to the expenditure of all these moneys secured by bond issues and all of the cash balance turned over in October, 1895, the present city administration found upon taking possession of the city's business in October, 1901, temporary loans outstanding—a mortgage upon the taxes to be secured from the people in the succeeding month—aggregating about \$195,000, a sum which almost consumed the entire amount of taxes

which would then become available, with \$60,000 of unpaid city obligations then due, and with but \$19,000 balance in the city treasury.

In addition to this, all kinds of city property were found to be in a seriously deteriorated condition. Every bridge across White River, with the exception of the bridges at Tenth street and Kentucky avenue, was found to be dangerous, and to-day all such bridges are being made safe by piling and other temporary structures. The Virginia avenue viaduct, through long continued neglect, having been allowed to go for years without even having been properly painted, was found to be in such condition that a large sum of money should be spent upon it immediately to prevent the possibility of a serious calamity. The same condition prevailed with the viaduct across Noble street, one side of which is closed to the public. The bridges spanning Pogue's Run and other waterways, with few exceptions, were found to be in a dangerous condition and are to-day held in position by props and other expedients, while the culverts in all portions of the city were found to be rotten and unsafe. The channel of Pogue's Run was found to be foul from the northern line of the city to its outlet in White river, not a dollar having been spent in cleaning it or placing it in sanitary condition since 1897.

The equipment of the city hospital and dispensary in the way of horses and ambulances was found to be practically worthless, while no provision had been made to furnish the new addition to the city hospital, nor for the completion and preparation for occupancy of either of the three engine houses, for the construction of which a bond issue had been made, all of such appropriation having been spent without placing such houses in fit condition for use. In neither of these houses was any plumbing provided, approaches made, fences constructed or the necessary outbuildings erected.

This condition prevailed with all city property and it has required the utmost economy on the part of the present administration to carry on the business of the city without the adoption of extraordinary measures to raise revenues.

I believe that the day of reckoning before mentioned has come; that it is time for the people of the City of Indianapolis to stop and take an inventory; that it is time for it to be determined whether or not the policy which has obtained of placing the tax levy at a figure wholly inadequate to care for the city's needs and borrowing from time to time to make good the deficit created by such inadequate levies, in addition to which bond issues and temporary loans were made, practically exhausting the succeeding year's revenues, is to be continued. I feel that it is my duty as a public official, even though it may prove unpopular for a time, to make to the people of Indianapolis a clear statement of the facts in connection with the condition of the city, and to recommend a levy not only adequate for the payment of current expenses without bond issues and temporary loans, but also adequate to provide for those necessary improvements which are incident to every growing and successful city, and to improve the general condition of all forms of city property.

The principal items of increase provided for in the estimate submitted are as follows:

For bridges and culverts	\$20,000 00
Electric, gas and vapor lights	17,700 00
Public buildings and repairs.....	26,500 00
For cleaning and sweeping improved streets.....	20,000 00
Repairing permanently improved streets.....	25,000 00
Water and hydrant rentals	10,000 00
Cleaning Pogue's Run	5,000 00
Maintenance of unimproved streets.....	7,000 00

Collection of garbage in Irvington and Tuxedo.....	\$2,500 00
For the department of weights and measures (a new department created by ordinance)	3,160 00
Public parks	15,000 00
City election (a new item over 1902).....	11,800 00
Department of Health and Charities (furnishing new wing to hospital and increased expense incident to enlargement)..	11,827 25
Fire department (equipping and manning new houses in Irvington and South Side, hose and horses, necessary extension of fire alarm telegraph, increased cost of horse feed)..	23,177 50
Police department (twelve new patrolmen and one sergeant, extension of telegraph system and other incidentals).....	13,455 00
Public charities (Friendly Inn).....	600 00
Total	\$212,719 75

Deducting this amount from the sum to be realized from the increased tax levy during the ensuing year of \$213,901, leaves an actual net increase in the city's estimated miscellaneous expenses in 1903 over 1902 of but \$1,181.25, an increase rendered necessary by the actual growth of the business in the various city departments.

By increasing the appropriation for bridges, it is contemplated that during the ensuing year many of the bridges across Pogue's Run and other waterways of the city, which are now in a dangerous condition, shall be replaced with permanent structures of concrete or stone, thus settling forever this item of expense for the taxpayers.

In recommending an increase of \$17,700 in the item of electric, gas and vapor lights, I feel that amount would be wholly inadequate were it not for the fact that commencing with July 1st, 1903, a new electric lighting contract will become operative, under which contract I confidently expect to make a saving of from ten to fifteen dollars per light over the present contract. This reduction will become operative on the date mentioned, arrangements having been made with the Indianapolis Light and Power Company that should a new bidder be successful under the bids to be asked for in February next, that such Light and Power Company will on and after July 1st, 1903, until such time as the new contractor can install the necessary plant, furnish light to the city at the rate named in the bid of such Indianapolis company. By the saving thus effected I estimate that the increased expenditure for light will be ample, not only to adequately provide for Irvington and other newly annexed territory, but to permit the placing of many lights in other sections of the city not now provided for.

The increase of \$26,500 provided for in the item of public buildings and repairs is intended to provide for the construction of an adequate engine house in Irvington and one additional house in the southern part of the city; also the construction of an additional building at Kenwood avenue and Thirtieth street to accommodate a new ladder company on the North Side, the rapid growth of that portion of the city north of Fall Creek rendering such increase in the department absolutely necessary; in addition to which necessary repairs will be made to Tomlinson Hall, which at the present time is not in a condition creditable to the city; adequate shelter should be provided over the market place by which not only the market gardeners can be protected, but protection also given to the people of Indianapolis who patronize such market.

I most heartily recommend an increase of \$25,000 in the item "Repair of permanently improved streets," believing that it is but fair to the property owners, who, having once paid for a permanent street, that the subsequent expense of caring for such pavement, for at least a reasonable term of years, should be paid from the general fund. I do not look with favor upon the proposition that property owners should

be compelled, no sooner have they discharged one set of Barrett bonds, to assume the obligation for a new set, rendered necessary by re-surfacing the streets upon which their property abuts. I favor the inauguration of a new system of repairs by which breaks in permanently improved streets may be attended to at once, thus protecting the balance of the pavement, and for this reason I believe that this increase will meet with the general approval of the people. By the inauguration of this system the conditions which prevail on Virginia avenue, East Washington street, Massachusetts avenue and South Delaware street, streets which have been neglected for years, would be rendered impossible, and property owners would not be subject to the new burden of re-surfacing, as they have been during the present year, owing to the absolute lack of funds with which to place such streets in safe condition.

The burden of properly cleaning, sweeping and caring for the permanently improved streets increases with each year's growth of the city. The appropriation for the present year was fixed at \$60,000. This amount has proved to be wholly inadequate, as did the appropriation for 1901, and at the present time the number of sweepings upon various streets have been curtailed, owing to the rapid exhaustion of the amount appropriated in the last levy. To meet the increased amount of work and to better provide for the care of such streets, I recommend the increase of \$20,000 in such item, believing that this department of the city work more directly affects the health and comfort of all of our people than any other.

I recommend the item of \$5,000 for cleaning Pogue's Run, believing that such work is absolutely necessary to protect the people of the City of Indianapolis against serious epidemics. Nothing has been expended on this waterway for more than five years and complaints are being made daily to the health department against its foul condition. It has always been my idea that this waterway should be converted into a storm water sewer, but even should such change be determined upon, it will be necessary that something be done during the early spring toward placing the channel of this stream in sanitary condition. In cleaning this stream it is my purpose to remove entirely the dirt taken from its channel and not permit the same to be piled upon the banks to be washed back at the first rain.

It will be observed from an examination of the estimates above given that no provision has been made for an increase of the salaries of city employes. I am of the opinion that certain classes of city employes are not at this time adequately paid, but I can not bring myself to favor an increase in this item of public expenditure, especially at a time when we find it necessary for the other uses of the city to place the tax levy at its present rate; but should changing conditions warrant, I would favor at the earliest possible moment the revision of the salary list of those departments of the city government to which are entrusted the safety and welfare of the lives and property of the people. I do not favor an increase in any other departments.

In fixing the tax levy at eighty-six cents, thus securing the additional revenue which I consider absolutely essential at this time, I do not expect in the future to deviate from the policy which has governed me since assuming my present position. The utmost economy shall continue to be practiced in every department and if possible by the most careful management to save any money from the amounts appropriated to the various departments, such saving shall be made. It is my purpose to so conduct the financial affairs of the City of Indianapolis that at the expiration of my term of office I shall not only have placed the city in the physical condition in which it should be found at all times, but that there shall be a material change in the condition of the city treasury. It has been well said that a deficit is more difficult to handle than

a surplus, and it is my purpose to leave my successor a surplus instead of the large deficit with which the present administration was faced.

Respectfully submitted,

CHAS. A. BOOKWALTER,

Mayor.

Which was read and referred to Committee on Finance.

REPORTS, ETC., FROM CITY OFFICERS.

Communications from City Comptroller:

DEPARTMENT OF FINANCE.

Office of City Comptroller.

Indianapolis, September 8, 1902.

Hon. Charles A. Bookwalter, Mayor of the City of Indianapolis:

Sir—I herewith submit estimates for the various city departments for the fiscal year commencing January 1, 1903. As revised by me, these estimates aggregate the sum of \$1,416,411.80.

I estimate that the total revenues of the city for the year 1903 from all sources, other than taxation, will amount to \$300,000.00, leaving a balance to be raised from taxes of \$1,116,411.80.

The certificate of the Township (City) Assessor on file in this office shows the assessed value of the taxable property of the City of Indianapolis for the year 1902 to be as follows:

Real estate (lots)	\$58,369,200 00
Improvements	40,548,685 00
Personal property	37,224,185 00
Total	\$136,142,070 00
Less mortgage exemption	3,142,540 00
Net assessed valuation	\$132,999,530 00

Number of polls, 37,879.

It is estimated by me that it will require a tax levy of eighty-six (86) cents on each \$100.00 of taxable property returned for taxation, and fifty (50) cents on each poll, to raise the amount hereinbefore set out.

Additional tax levies are required by acts of the General Assembly of the State of Indiana as follows: One (1) cent on each \$100.00 of taxable property for the Firemen's Pension Fund; one (1) cent on each \$100.00 for the Police Pension Fund, and two (2) cents on each \$100.00 for the Sinking Fund.

Respectfully submitted,

GEO. T. BREUNIG,

City Comptroller.

ESTIMATES FOR 1903.

[As revised by City Comptroller.]

DEPARTMENT OF FINANCE.

Assessing city property	\$2,500 00
Blank books, stationery and supplies	2,200 00
City election expenses	11,800 00
Indianapolis Fire Department and City Hospital Bonds...	14,000 00
Interest and exchange, city bonded debt.	89,200 00

Interest, Brightwood bonded debt.....	\$ 840 00
Interest, Haughville bonded debt.....	640 00
Interest, Irvington bonded debt.....	695 25
Interest, Mt. Jackson bonded debt.....	9 00
Interest, West Indianapolis bonded debt.....	3,960 00
Miscellaneous expense, city offices.....	3,300 00
Scales, Weights and Measures expense account.....	500 00
Special Police Judge	150 00
Salaries as follows:	

Twenty-one Councilmen at \$150 per annum.....	3,150 00
Sergeant-at-Arms Common Council.....	100 00
Police Judge	2,500 00
Mayor	4,000 00
Mayor's Clerk	1,200 00
City Clerk	3,000 00
Deputy City Clerk	1,200 00
City Attorney	4,000 00
First Assistant City Attorney.....	2,500 00
Second Assistant City Attorney.....	900 00
City Attorney's Stenographer.....	600 00
City Comptroller	3,000 00
Deputy City Comptroller	1,200 00
Chief Clerk to City Comptroller.....	1,200 00
Bookkeeper to City Comptroller.....	1,000 00
Extra Clerk to City Comptroller.....	1,000 00
Board of Public Works, three members.....	6,000 00
Clerk Board Public Works.....	1,200 00
Assistant Clerk Board Public Works.....	720 00
Board of Public Safety, three members.....	1,800 00
Clerk Board of Public Safety.....	1,200 00
Building Inspector	1,800 00
Board of Public Health and Charities, three members....	300 00
City Sanitarian	2,000 00
Clerk Board of Public Health and Charities.....	1,000 00
City Treasurer	8,500 00
County Auditor	1,000 00
Inspector Scales, Weights and Measures and assistants..	2,660 00

Total \$188,524 25

DEPARTMENT OF LAW.

Judgments, compromises and costs.....	\$6,000 00
Change of venue cases.....	500 00
Transcripts, printing of briefs, stationery, etc.....	400 00
Office rent and expenses	500 00
Law Library	300 00

Total \$7,700 00

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.

CITY DISPENSARY.

Drugs	\$1,800 00
Dry goods	200 00
Gas, artificial	20 00
Groceries	40 00
Incidentals	300 00
Laundry	102 00
Printing and stationery	120 00
Surgical supplies	200 00
Telephone	80 00

Transportation	\$ 50 00
Salaries	3,839 80
Total	\$6,751 80

CITY HOSPITAL.

Drugs	\$2,000 00
Dry goods	1,800 00
Electrical supplies	150 00
Engine room supplies	250 00
Furniture	400 00
Fuel	5,000 00
Gas, artificial	300 00
Hardware	200 00
Horseshoeing	100 00
Incidentals	700 00
Laundry supplies	300 00
Paints and painting	300 00
Plumbing supplies	300 00
Printing and stationery	250 00
Provisions	11,800 00
Queensware	300 00
Repairs	500 00
Stable supplies	350 00
Surgical supplies	1,350 00
Telephone	80 00
Nursing	2,500 00

Salaries as follows:

Superintendent	1,500 00
Clerk	360 00
Engineer	821 25
Assistant Engineer	500 00
Night Engineer	600 00
Laundryman	420 00
Superintendent of nurses	600 00
Assistant superintendent of nurses	480 00
Male orderly	300 00
Assistant male orderly	240 00
Female orderly	144 00
Three dining-room girls	456 00
Seamstress	144 00
Four laundresses	576 00
Three cooks	576 00
Driver	300 00
Two janitors	480 00
Six internes	900 00
Matron	300 00
Furnishing and equipping new wing to hospital.	3,500 00

Total	\$42,127 25
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HEALTH OFFICE.

City ambulance and driver	\$1,200 00
Cutting weeds	1,000 00
Horse board	360 00
Incidentals	300 00
Laboratory	750 00
Prevention of contagious diseases	5,000 00
Printing and stationery	300 00
Public charity	1,200 00

Telephone	\$ 80 00
Salaries	5,763 75

Total	\$15,953 75
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RECAPITULATION.

City Dispensary	\$6,751 80
City Hospital	42,127 25
Health Office	15,953 75

Total	\$64,832 80
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DEPARTMENT OF PUBLIC WORKS.

Assessments, erroneous	\$500 00
Assessments, payment of	500 00
Assessment roll clerks, salaries.....	5,880 00
Blank books, printing and stationery.....	3,000 00
Bridges	30,000 00
Bridge gang pay-roll	7,000 00
Brightwood waterworks	3,000 00
Cisterns	1,500 00
City Civil Engineer, accounts	2,500 00
City Civil Engineer, salaries	27,000 00
City Hall accounts	4,300 00
City Hall janitors.....	1,800 00
Electric, gas and vapor lights.....	135,000 00
Fountains and wells	500 00
Furniture and fixtures	500 00
Garbage, collection and delivery of.....	34,400 00
Garbage and night soil and Sellar's farm.....	10,900 00
Incidental expenses	400 00
Cleaning Pogue's Run.....	5,000 00
Public buildings and repairs.....	27,500 00
Sewers	750 00
Sewer gang pay-roll	10,500 00
Sweeping and cleaning improved streets.....	80,000 00
Streets, maintenance and repair of.....	32,000 00
Street openings and vacations.....	200 00
Street repair accounts	3,000 00
Streets, repairing permanently improved.....	50,000 00
Streets, sprinkling unimproved.....	45,000 00
Street signs and house numbers.....	750 00
Telephones	500 00
Tomlinson Hall, accounts	2,000 00
Tomlinson Hall, janitors	2,500 00
Water	100,000 00
Payment of appraisers for public improvements.....	1,500 00

Total	\$629,880 00
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DEPARTMENT OF PUBLIC PARKS.

Garfield Park, maintenance	\$12,950 00
Garfield Park, improvements	3,000 00
Military Park, maintenance.....	3,000 00
University Square	1,500 00
St. Clair Square and Fort Wayne Triangle.....	1,250 00
Hendricks street, Fletcher avenue, Oriole and South streets maintenance	1,250 00
Fletcher Place and E. Eleventh street centers, maintenance	800 00
Greenlawn, maintenance	2,500 00
Morton Place, maintenance	900 00

Morris Park, maintenance.....	\$ 400 00
Office salaries, draughtsman, telephones, printing, etc.....	7,530 00
Brookside, maintenance.....	4,500 00
Brookside, improvements.....	5,000 00
Indianaola Square, maintenance.....	900 00
Highland Square, maintenance.....	1,500 00
Highland Square, improvements.....	500 00
Spades Place and Elmwood, maintenance.....	2,000 00
Spades Place and Elmwood, improvements.....	2,000 00
Riverside Park, maintenance.....	18,500 00
Riverside Park, improvements.....	24,500 00
McCarty Place, maintenance.....	300 00
Highland Place Centers, maintenance.....	300 00
Total.....	\$95,080 00

RECAPITULATION.

To be appropriated for maintenance.....	\$52,550 00
To be appropriated for improvements.....	35,000 00
To be appropriated for office.....	7,530 00
Total.....	\$95,080 00

DEPARTMENT OF PUBLIC SAFETY.

FIRE FORCE PAY-ROLL.

1 Chief Engineer.....	\$2,000 00
2 Assistant Chiefs at \$1,200.....	2,400 00
1 Chief's Clerk.....	941 25
1 Veterinarian.....	600 00
1 Superintendent of Fire Alarm.....	1,200 00
37 Captains at \$900.....	33,300 00
11 Engineers at \$900.....	9,900 00
11 Stokers at \$821.25.....	9,033 75
55 Drivers at \$821.25.....	45,168 75
30 Laddermen at \$821.25.....	24,637 50
62 Hosemen at \$821.25.....	50,917 50
3 Telephone Operators at \$821.25.....	2,463 75
3 Tower Watchmen at \$821.25.....	2,463 75
3 Water Tower Men at \$821.25.....	2,463 75
3 Linemen at \$821.25.....	2,463 75
224 Total.....	\$189,953 75

FIRE FORCE ACCOUNTS.

Fire Alarm Telegraph Department.....	\$4,400 00
Fuel, gas and coal.....	3,500 00
Furniture.....	1,500 00
Harness and repairs.....	500 00
Horse feed.....	11,200 00
Horseshoeing.....	2,600 00
Hose.....	7,850 00
Horses, purchases of.....	3,000 00
Illuminating gas and electric lights (including battery power).....	1,750 00
Miscellaneous.....	1,500 00
New apparatus.....	4,000 00
Printing and stationery.....	150 00
Repairs to apparatus.....	2,000 00
Repairs to buildings.....	3,000 00
Repairs to cisterns.....	400 00

Soda and acids	\$ 500 00
Telephone service	1,500 00

Total	\$49,350 00
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POLICE FORCE PAY-ROLL.

1 Superintendent of Police	\$2,000 00
2 Captains at \$1,080.00	2,160 00
1 Surgeon	900 00
11 Sergeants at \$900	9,900 00
1 Bailiff	800 00
1 Captain of Detectives	1,150 00
10 Detectives at \$912.50	9,125 00
1 Humane Inspector	912 50
1 License Inspector	912 50
1 Superintendent's Clerk	912 50
1 Bertillon Clerk	912 50
1 Detective's Clerk	720 00
3 Telephone Operators at \$821.25	2,463 75
1 Custodian	821 25
1 Electrician	821 25
2 Engineers at \$821.25	1,642 50
2 Matrons at \$600.00	1,200 00
3 Janitors at \$600.00	1,800 00
1 Children's Guardian Officer	486 00
153 Patrolmen at \$821.25	125,651 25

198 Total	\$165,291 00
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POLICE FORCE ACCOUNTS.

Building repairs	\$500 00
Bicycles and repairs	300 00
Cow Pounds	100 00
Electrical Department	2,500 00
Emergency Police	500 00
Fuel, gas and coal	1,500 00
Gas and electric light	1,500 00
Horses	500 00
Horse feed	800 00
Incidentals	1,500 00
Prisoners' Meals	1,500 00
Secret Service	400 00
Telephone Service	1,000 00
Wagons and repairs	200 00

Total	\$12,800 00
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BOARD OF SAFETY OFFICE FUNDS.

Incidentals	\$500 00
Printing and stationery	200 00

Total	\$700 00
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SOUTH SIDE MARKET FUNDS.

Salaries	\$900 00
Gas and electric light	200 00
Fuel	150 00
Repairs to buildings	150 00
Current expenses	100 00

Total	\$1,500 00
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EAST MARKET FUNDS.

Salaries	\$4,570 00
Cleaning buildings and grounds.....	1,000 00
Current expenses	200 00
Gas and electricity	4,000 00
Printing and stationery	30 00
Repairs to buildings	1,000 00
Total	\$10,800 00

RECAPITULATION.

Fire Force, pay-roll	\$189,953 75
Fire Force, miscellaneous accounts.....	49,350 00
Police Force, pay-roll	165,291 00
Police Force, miscellaneous accounts.....	12,800 00
Board of Safety office funds.....	700 00
South Side Market funds	1,500 00
East Side Market funds	10,800 00
Total	\$430,394 75

GRAND RECAPITULATION.

Department of Finance	\$188,524 25
Department of Law	7,700 00
Department of Public Works.....	629,880 00
Department of Public Safety	430,394 75
Department of Public Health and Charities.....	64,832 80
Department of Public Parks	95,080 00
Total	\$1,416,411 80

DEPARTMENT OF FINANCE,

Office of City Comptroller,

Indianapolis, September 1, 1902.

To the President and Members of the Common Council:

Gentlemen—I recommend that an ordinance be passed appropriating the sum of one thousand dollars for the purpose of purchasing the necessary appliances to fully carry out the provisions of an ordinance recently passed providing for the inspection of scales, weights and measures.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

FINANCE DEPARTMENT,

Office of City Comptroller,

Indianapolis, September 1, 1902.

To the President and Members of the Common Council:

Gentlemen:—I herewith present communication from the Department of Public Safety requesting the transfer of certain sums to fire force accounts.

After due investigation I am convinced that the request should be granted, that the appropriations made for the accounts named, although economically expended, are insufficient, and therefore recommend that an ordinance be passed making the transfers as requested.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC SAFETY,
Office of the Board,
Indianapolis, Aug. 21, 1902.

Geo. T. Breunig, City Comptroller:

Dear Sir—Enclosed please find a letter to this Board from Chief Coats showing the deficit in the Maintenance Fund, which this Board desires you to please have transferred from the Fire Force Pay Roll Fund to the various funds as stated therein to cover this amount.

Respectfully,

JOHN B. WOOD,
Secretary.

HEADQUARTERS OF FIRE FORCE,
Department of Public Safety,
Indianapolis, August 19, 1902.

Board of Public Safety:

Gentlemen—I find that we will have a deficit in the Maintenance Fund for the year 1902, amounting to two thousand and fifty (\$2,050.00) dollars, as follows:

Horse feed	\$1,000 00
Illuminating gas	300 00
Repairs to apparatus	750 00
Total	\$2,050 00

Respectfully submitted,

C. E. COOTS,
Chief Fire Force.

Which were read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communications from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
Indianapolis, August 29th, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action an ordinance ratifying, confirming and approving a certain contract this day entered into by and between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Union Railway Company, granting said Indianapolis Union Railway Company the right to construct and maintain a single switch or sidetrack across the first alley east of Rural street, running north from Roosevelt avenue, in the City of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE.

Board of Public Works.

Which was read and referred to Committee on Railroads.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By Mr. Wynne:

App. O. No. 23, 1902: An ordinance appropriating the sum of \$1,000 for the Department of Finance on account of the inspection of scales, weights and measures, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of one thousand dollars (\$1,000) be and the same is hereby appropriated to and for the use of the Department of Finance, to be used in the purchase of all necessary appliances, including two horses and wagons, for the purpose of fully carrying out and putting into operation the provisions of an ordinance approved June 25, 1902, providing for the inspection of scales, weights and measures.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 24, 1902: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1903, and ending December 31, 1903, including all outstanding claims and obligations which become due and payable within said period, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated out of the funds of the City of Indianapolis, Indiana, for the purpose of defraying the current expenses of the government of said city, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1903, and ending December 31, 1903, including all outstanding claims and obligations existing on the first day of such fiscal year, which may become due and payable before its expiration, the following sums of money for the different departments of said city, and for the several purposes as hereinafter set forth:

DEPARTMENT OF FINANCE.

1. For the assessment of city property, the sum of two thousand five hundred dollars (\$2,500).
2. For books, stationery and supplies of the Finance Department, the sum of two thousand two hundred (\$2,200) dollars.
3. For the payment of city election expenses, the sum of eleven thousand eight hundred (\$11,800) dollars.
4. For the payment of Indianapolis Fire Department and City Hospital Bonds, the sum fourteen thousand (\$14,000) dollars.
5. For the payment of interest and exchange on the city bonded indebtedness, the sum of eighty-nine thousand two hundred (\$89,200) dollars.
6. For the payment of interest and exchange on the Brightwood bonded indebtedness, the sum of eight hundred and forty (\$840) dollars.

7. For the payment of interest and exchange on the Haughville bonded indebtedness, the sum of six hundred and forty (\$640) dollars.

8. For the payment of interest and exchange on the Irvington bonded indebtedness, the sum of six hundred and ninety-five dollars and twenty-five cents (\$695.25).

9. For the payment of interest and exchange on the Mt. Jackson bonded indebtedness, the sum of nine (\$9) dollars.

10. For the payment of interest and exchange on the West Indianapolis bonded indebtedness, the sum of three thousand nine hundred and sixty (\$3,960) dollars.

11. For miscellaneous expense of city officers, the sum of three thousand three hundred (\$3,300) dollars.

12. For the payment of the Scales, Weights and Measures expense account, the sum of five hundred (\$500) dollars.

13. For the payment of Special Police Judge, the sum of one hundred and fifty (\$150) dollars.

14. For the salaries of twenty-one (21) councilmen, at one hundred and fifty (\$150) dollars per annum, the sum of three thousand one hundred and fifty (\$3,150) dollars.

15. For the salary of the Sergeant-at-Arms of the Common Council, the sum of one hundred (\$100) dollars.

16. For the salary of the Police Judge, the sum of two thousand five hundred (\$2,500) dollars.

17. For the salary of the Mayor, the sum of four thousand (\$4,000) dollars.

18. For the salary of the Mayor's Clerk, the sum of one thousand two hundred (\$1,200) dollars.

19. For the salary of the City Clerk, the sum of three thousand (\$3,000) dollars.

20. For the salary of the Deputy City Clerk, the sum of twelve hundred (\$1,200) dollars.

21. For the salary of the City Attorney, the sum of four thousand (\$4,000) dollars.

22. For the salary of the First-Assistant City Attorney, the sum of two thousand five hundred (\$2,500) dollars.

23. For the salary of the Second-Assistant City Attorney, the sum of nine hundred dollars (\$900).

24. For the salary of the stenographer of the City Attorney, the sum of six hundred (\$600) dollars.

25. For the salary of the City Comptroller, the sum of three thousand (\$3,000) dollars.

26. For the salary of the Deputy City Comptroller, the sum of twelve hundred (\$1,200) dollars.

27. For the salary of the Chief Clerk, Finance Department, the sum of twelve hundred (\$1,200) dollars.

28. For the salary of the Bookkeeper, Finance Department, the sum of one thousand (\$1,000) dollars.

29. For the payment of extra clerical help, Finance Department, the sum of one thousand (\$1,000) dollars.

30. For the salaries of three members of the Board of Public Works, the sum of six thousand (\$6,000) dollars.

31. For the salary of the Clerk of the Board of Public Works, the sum of one thousand two hundred (\$1,200) dollars.

32. For the salary of the Assistant Clerk of the Board of Public Works, the sum of seven hundred and twenty (\$720) dollars.

33. For the salaries of three members of the Board of Public Safety, the sum of one thousand eight hundred (\$1,800) dollars.

34. For the salary of the Clerk of the Board of Public Safety, the sum of one thousand two hundred (\$1,200) dollars.

35. For the salary of the Building Inspector, the sum of one thousand eight hundred (\$1,800) dollars.

36. For the salaries of three members of the Board of Public Health and Charities, the sum of three hundred (\$300) dollars.

37. For the salary of the City Sanitarian, the sum of two thousand (\$2,000) dollars.

38. For the salary of the Clerk of the Board of Public Health and Charities, the sum of one thousand (\$1,000) dollars.

39. For the salary of the City Treasurer, the sum of eight thousand five hundred (\$8,500) dollars.

40. For the salary of the County Auditor, the sum of one thousand (\$1,000) dollars.

41. For the salary of the Inspector of Scales, Weights and Measures and his assistants, the sum of two thousand six hundred and sixty (\$2,660) dollars.

DEPARTMENT OF LAW.

1. For judgments, compromises and costs, the sum of six thousand (\$6,000) dollars.

2. For change of venue cases, including local attorney's services, expenses, etc., the sum of five hundred (\$500) dollars.

3. For transcripts, printing of briefs, stationery and miscellaneous items, the sum of four hundred (\$400) dollars.

4. For office rent and expenses, the sum of five hundred (\$500) dollars.

5. For Law Library, the sum of three hundred (\$300) dollars.

DEPARTMENT OF PUBLIC WORKS.

1. For erroneous assessments, the sum of five hundred (\$500) dollars.

2. For payment of assessments, the sum of five hundred (\$500) dollars.

3. For payment of assessment roll clerks, the sum of five thousand eight hundred and eighty (\$5,880) dollars.

4. For blank books, printing and stationery, the sum of three thousand (\$3,000) dollars.

5. For bridges, the sum of thirty thousand (\$30,000) dollars.

6. For bridge-gang pay-roll, the sum of seven thousand (\$7,000) dollars.

7. For Brightwood water-works, the sum of three thousand (\$3,000) dollars.

8. For cisterns, the sum of one thousand five hundred (\$1,500) dollars.

9. For City Civil Engineer, accounts, the sum of two thousand five hundred (\$2,500) dollars.

10. For City Civil Engineer, for salaries, the sum of twenty-seven thousand (\$27,000) dollars.

11. For City Hall accounts, the sum of four thousand three hundred (\$4,300) dollars.

12. For City Hall janitors, the sum of one thousand eight hundred (\$1,800) dollars.

13. For electric, gas and vapor lights, the sum of one hundred and thirty-five thousand (\$135,000) dollars.

14. For fountains and wells, the sum of five hundred (\$500) dollars.

15. For furniture and fixtures, the sum of five hundred (\$500) dollars.

16. For the collection and delivery of garbage, the sum of thirty-four thousand four hundred (\$34,400) dollars.

17. For city garbage and night soil disposal and Sellar's farm, the sum of ten thousand nine hundred (\$10,900) dollars.

18. For incidental expenses, the sum of four hundred (\$400) dollars.

19. For public buildings and repairs, the sum of twenty-seven thousand five hundred (\$27,500) dollars.

20. For sewers, the sum of seven hundred and fifty (\$750) dollars.
21. For sewer gang pay-roll, the sum of ten thousand five hundred (\$10,500) dollars.
22. For sweeping and cleaning improved streets, the sum of eighty thousand (\$80,000) dollars.
23. For the maintenance and repair of streets, including street repair pay-roll, the sum of thirty-two thousand (\$32,000) dollars.
24. For street openings and vacations, the sum of two hundred (\$200) dollars.
25. For street repair accounts, the sum of three thousand (\$3,000) dollars.
26. For repairing permanently improved streets, the sum of fifty thousand (\$50,000) dollars.
27. For sprinkling unimproved streets, the sum of forty-five thousand (\$45,000) dollars.
28. For street signs and house numbers, the sum of seven hundred and fifty (\$750) dollars.
29. For telephones, the sum of five hundred (\$500) dollars.
30. For Tomlinson Hall accounts, the sum of two thousand (\$2,000) dollars.
31. For Tomlinson Hall janitors, the sum of two thousand five hundred (\$2,500) dollars.
32. For water, the sum of one hundred thousand (\$100,000) dollars.
33. For payment of appraisers appointed to appraise property for public improvements, the sum of one thousand five hundred (\$1,500) dollars.
34. For cleaning Pogue's Run, the sum of five thousand (\$5,000) dollars.

DEPARTMENT OF PUBLIC SAFETY.

FIRE FORCE PAY-ROLL.

1. For fire force pay-roll, the sum of one hundred and eighty-nine thousand nine hundred and fifty-three dollars and seventy-five cents (\$189,953.75).

FIRE FORCE ACCOUNTS.

1. Fire alarm telegraph department, the sum of four thousand four hundred (\$4,400) dollars.
2. For fuel, gas and coal, the sum of three thousand five hundred (\$3,500) dollars.
3. For furniture, the sum of one thousand five hundred (\$1,500) dollars.
4. For harness and repairs, the sum of five hundred (\$500) dollars.
5. For horse feed, the sum of eleven thousand two hundred (\$11,200) dollars.
6. For horseshoeing, the sum of two thousand six hundred (\$2,600) dollars.
7. For the purchase of hose, the sum of seven thousand eight hundred and fifty (\$7,850) dollars.
8. For the purchase of horses, the sum of three thousand (\$3,000) dollars.
9. For illuminating gas and electric lights, including battery power, the sum of one thousand seven hundred and fifty (\$1,750) dollars.
10. For miscellaneous supplies, the sum of one thousand five hundred (\$1,500) dollars.
11. For new apparatus, the sum of four thousand (\$4,000) dollars.
12. For printing and stationery, the sum of one hundred and fifty (\$150) dollars.
13. For repairs to apparatus, the sum of two thousand (\$2,000) dollars.

14. For repairs to buildings, the sum of three thousand (\$3,000) dollars.
15. For repairs to cisterns, the sum of four hundred (\$400) dollars.
16. For soda and acids, the sum of five hundred (\$500) dollars.
17. For telephone service, the sum of one thousand five hundred (\$1,500) dollars.

POLICE FORCE PAY-ROLL.

1. For police pay-roll, the sum of one hundred and sixty-five thousand two hundred and ninety-one (\$165,291) dollars.

POLICE FORCE ACCOUNTS.

1. For building repairs, the sum of five hundred (\$500) dollars.
2. For bicycles and repairs, the sum of three hundred (\$300) dollars.
3. For cowpounds, the sum of one hundred (\$100) dollars.
4. For electrical department, the sum of two thousand five hundred (\$2,500) dollars.
5. For emergency police, the sum of five hundred (\$500) dollars.
6. For fuel, gas and coal, the sum of fifteen hundred (\$1,500) dollars.
7. For gas and electric light, the sum of fifteen hundred (\$1,500) dollars.
8. For the purchase of horses, the sum of five hundred (\$500) dollars.
9. For horse feed, the sum of eight hundred (\$800) dollars.
10. For incidental expenses, the sum of fifteen hundred (\$1,500) dollars.
11. For prisoners' meals, the sum of fifteen hundred (\$1,500) dollars.
12. For secret service, the sum of four hundred (\$400) dollars.
13. For telephone service, the sum of one thousand (\$1,000) dollars.
14. For wagons and repairs, the sum of two hundred (\$200) dollars.

BOARD OF SAFETY OFFICE FUNDS.

1. For incidental expenses, the sum of five hundred (\$500) dollars.
2. For printing and stationery, the sum of two hundred (\$200) dollars.

SOUTH SIDE MARKET FUNDS.

1. For salaries, the sum of nine hundred (\$900) dollars.
2. For gas and electric light, the sum of two hundred (\$200) dollars.
3. For fuel, the sum of one hundred and fifty (\$150) dollars.
4. For repairs to buildings, the sum of one hundred and fifty (\$150) dollars.
5. For current expenses, the sum of one hundred (\$100) dollars.

EAST MARKET FUNDS.

1. For salaries, the sum of four thousand five hundred and seventy (\$4,570) dollars.
2. For cleaning buildings and grounds, the sum of one thousand (\$1,000) dollars.
3. For current expenses, the sum of two hundred (\$200) dollars.
4. For gas and electricity, the sum of four thousand (\$4,000) dollars.
5. For printing and stationery, the sum of thirty (\$30) dollars.
6. For repairs to buildings, the sum of one thousand (\$1,000) dollars.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.

CITY DISPENSARY.

1. For drugs, the sum of one thousand eight hundred (\$1,800) dollars.
2. For dry goods, the sum of two hundred (\$200) dollars.
3. For artificial gas, the sum of twenty (\$20) dollars.
4. For groceries, the sum of forty (\$40) dollars.
5. For incidentals, the sum of three hundred (\$300) dollars.

6. For laundry, the sum of one hundred and two (\$102) dollars.
7. For printing and stationery, the sum of one hundred and twenty (\$120) dollars.
8. For surgical supplies, the sum of two hundred (\$200) dollars.
9. For telephone, the sum of eighty (\$80) dollars.
10. For transportation, the sum of fifty (\$50) dollars.
11. For salaries, the sum of three thousand eight hundred and thirty-nine dollars and eighty cents (\$3,839.80).

CITY HOSPITAL.

1. For drugs, the sum of two thousand (\$2,000) dollars.
2. For dry goods, the sum of one thousand eight hundred (\$1,800) dollars.
3. For electrical supplies, the sum of one hundred and fifty (\$150) dollars.
4. For engine room supplies, the sum of two hundred and fifty (\$250) dollars.
5. For furniture, the sum of four hundred (\$400) dollars.
6. For fuel, the sum of five thousand (\$5,000) dollars.
7. For artificial gas, the sum of three hundred (\$300) dollars.
8. For hardware, the sum of two hundred dollars.
9. For horseshoeing, the sum of one hundred (\$100) dollars.
10. For incidentals, the sum of seven hundred (\$700) dollars.
11. For laundry supplies, the sum of three hundred (\$300) dollars.
12. For paints and painting, the sum of three hundred (\$300) dollars.
13. For plumbing supplies, the sum of three hundred (\$300) dollars.
14. For printing and stationery, the sum of two hundred and fifty (\$250) dollars.
15. For provisions, the sum of eleven thousand eight hundred (\$11,800) dollars.
16. For queensware, the sum of three hundred (\$300) dollars.
17. For repairs, the sum of five hundred (\$500) dollars.
18. For stable supplies, the sum of three hundred and fifty (\$350) dollars.
19. For surgical supplies, the sum of thirteen hundred and fifty (\$1,350) dollars.
20. For telephone, the sum of eighty (\$80) dollars.
21. For nursing, the sum of two thousand five hundred (\$2,500) dollars.
22. For salaries, the sum of nine thousand six hundred and ninety-seven dollars and twenty-five cents (\$9,697.25).
23. For furnishing and equipping new wing to hospital, the sum of three thousand five hundred (\$3,500) dollars.

HEALTH OFFICE.

1. For the city ambulance and driver, the sum of twelve hundred (\$1,200) dollars.
2. For cutting weeds, the sum of one thousand (\$1,000) dollars.
3. For horse board, the sum of three hundred and sixty (\$360) dollars.
4. For incidentals, the sum of three hundred (\$300) dollars.
5. For laboratory, the sum of seven hundred and fifty (\$750) dollars.
6. For prevention of contagious diseases, the sum of five thousand (\$5,000) dollars.
7. For printing and stationery, the sum of three hundred (\$300) dollars.
8. For public charity, the sum of twelve hundred (\$1,200) dollars.
9. For telephone, the sum of eighty (\$80) dollars.
10. For salaries, the sum of five thousand seven hundred and sixty-three dollars and seventy-five cents (\$5,763.75).

DEPARTMENT OF PUBLIC PARKS.

The following appropriations to the Department of Public Parks are inclusive of all moneys derived from the annual payment of the sum of thirty thousand dollars by the Indianapolis Street Railway Company to the City of Indianapolis under the contract and franchise of said company, and all the miscellaneous receipts of the city on account of said parks, except moneys derived from its parks by said city under the provisions of paragraph six (6), section nine (9), of the act of the general assembly, approved March 4, 1899, establishing the said Department of Public Parks, viz.:

1. For the maintenance of public parks, the sum of fifty-two thousand five hundred and fifty (\$52,550) dollars.

2. For improvement of public parks, the sum of thirty-five thousand (\$35,000) dollars.

3. For salaries, office expenses and supplies, park office, the sum of seven thousand five hundred and thirty (\$7,530) dollars.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

G. O. No. 66, 1902: An ordinance authorizing and directing the transfer of the sum of \$2,050.00 from a certain fund to certain funds, for the use of the Department of Public Safety, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the City Comptroller be, and he is hereby, authorized and directed to transfer the sum of two thousand and fifty dollars (\$2,050.00) from the appropriation heretofore made for the use of the Department of Public Safety for the Fire Force Pay-roll Fund, such sum so transferred to be credited to the following fire force accounts, as follows:

Horse Feed Fund, the sum of.....	\$1,000 00
Illuminating Gas Fund, the sum of.....	300 00
Repairs to Apparatus Fund, the sum of.....	750 00

and said department is hereby authorized to expend so much of the several sums so transferred as may be necessary.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 67, 1902: An ordinance approving a certain contract granting The Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the City of Indianapolis.

WHEREAS, heretofore to wit: On the 28th day of July, 1902, The Indianapolis Union Railway Company filed their petition before the Board of Public Works of the City of Indianapolis as follows:

PETITION.

Indianapolis, Indiana, July 28, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, The Indianapolis Union Railway Company, respectfully petition your honorable Board, asking permission to construct and maintain one switch or sidetrack from its main line in and along its present right-of-way and across the first alley east of Rural street running north from Roosevelt avenue, more particularly described as follows: Beginning at a point in the west line of the first alley east of Rural street, the said point being 8½ feet north of the north line of lot No. 28 of S. and B. F. Morris' Oak Hill Addition; thence east to a point in the east line of said alley, the same point being 8½ feet north of the north line of lot No. 33 of S. and B. F. Morris' Oak Hill Addition. All as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

THE INDIANAPOLIS UNION RAILWAY COMPANY.

By A. A. ZION, Superintendent.

NOW, THEREFORE, This agreement, made and entered into this 29th day of August, 1902, by and between The Indianapolis Union Railway Company, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part

WITNESSETH: That the party of the first part, being desirous of securing a right-of-way for a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue, in the City of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said

Board and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects the first alley east of Rural running north from Roosevelt avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch, or causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said sidetrack or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provisions of this instrument by said party of the first part or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the City of Indianapolis as follows:

Beginning at a point in the west line of the first alley east of Rural street the said point being $8\frac{1}{2}$ feet north of the north line of lot No. 28 of S. and B. F. Morris' Oak Hill Addition; thence east to a point in the east line of said alley, the said point being $8\frac{1}{2}$ feet north of the north line of lot No. 33 of A. and B. F. Morris' Oak Hill Addition, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 29th day of August, 1902.

THE INDIANAPOLIS UNION RAILWAY COMPANY.

By JAMES McCREA,

President.

Party of the first part.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE.

Board of Public Works.

Party of the second part.

Approved as to form,

BAKER & DANIELS, Attorneys, I. U. Ry. Co.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action; now therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Wynne:

G. O. No. 68, 1902: An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the City of Indianapolis, for the year 1903, and fixing the time when the same shall take effect.

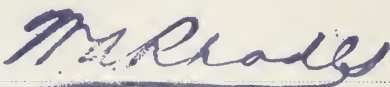
Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby assessed a levy upon all real estate and improvements and all personal property of whatever description, notes, bonds, stocks, and choses in action in the City of Indianapolis, Indiana, or assessed and returned for taxation in said city for the year 1902, a tax for general purposes of eighty-six cents (86c) on each one hundred dollars (\$100) valuation of such property and a further sum of fifty cents (50c) on each poll for general purposes; also a tax of one cent (1c) upon each one hundred dollars (\$100) on all such property for the police pension fund of said city; also a tax of one cent (1c) upon each one hundred dollars (\$100) on all such property for the fireman pension fund of said city; also a tax of two cents (2c) upon each one hundred dollars (\$100) on all such property for the sinking fund of said city, as provided in Acts of General Assembly of 1901, page 192.

Sec. 2. That the Auditor of Marion County be and he is hereby ordered and directed to place such tax upon the proper tax duplicate and the County Treasurer of said county, acting for said city, is hereby ordered and directed to collect the same for the City of Indianapolis and make due report thereof to said city.

Sec. 3. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Indianapolis.

Which was read a first time and referred to Committee on Finance.

On motion of Mr. Wynne, the Common Council, at 8:05 o'clock p. m., adjourned.


President Pro Tem.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, September 15, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, September 15, 1902, at 8:00 o'clock, in regular session.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, in the chair, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Mr. Holliday and President Haldeman.

The Clerk proceeded to read the Journal, whereupon Councilman Cooper moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT, City of Indianapolis.

Indianapolis, August 18, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

General Ordinance No. 48, 1902: "An ordinance authorizing and directing the transfer of the sum of \$2,000 from certain fund to certain fund for the use of the Department of Public Works, and fixing a time when the same shall take effect."

Appropriation Ordinance No. 21, 1902: "An ordinance appropriating the sum of \$2,065.50 for the Department of Public Safety, and fixing a time when the same shall take effect."

General Ordinance No. 45, 1902: "An ordinance authorizing and directing the transfer of the sum of \$5,000 from certain fund to certain fund, for the use of the Department of Public Works, and fixing a time when the same shall take effect."

Very truly yours,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,

City of Indianapolis.

Indianapolis, August 21, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance:

General Ordinance No. 53, 1902: "An ordinance approving a contract between the City of Indianapolis and the Indianapolis, Lebanon and Frankfort Traction Company."

Very truly yours,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,

City of Indianapolis,

Indianapolis, August 22, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 52, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis, Greenwood and Franklin Railroad Company.

G. O. No. 57, 1902: An ordinance ratifying an agreement between the City of Indianapolis and the Indianapolis & Eastern Railway Company.

Very truly yours,

C. A. BOOKWALTER,
Mayor.

Which were read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

Indianapolis, August 29, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action an ordinance ratifying, confirming and approving a certain contract this day entered into by and between the City of Indianapolis, by and through its Board of Public Works, and the Indianapolis Union Railway Co., granting said Indianapolis Union Railway Co. the right to

construct and maintain a single switch or sidetrack across Kentucky avenue and Howard street, or Howard street extended, if it is not in law a street now, in the City of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

Communications from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

Indianapolis, September 15th, 1902.

To the President and Members of the Common Council:

Gentlemen—We refer to you herewith for your consideration and action thereon an ordinance authorizing the improvement of the roadway of Washington street, from Alabama street to the Union Railway Company's tracks, by resurfacing the roadway with asphalt and paving the gutters with brick, as authorized by Improvement Resolution No. 238, 1902, adopted by this Board on August 8th, 1902.

This action is necessary on account of a remonstrance signed by more than one-half of the resident property-holders, filed September 6th, 1902.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

Indianapolis, September 15th, 1902.

To the President and Members of the Common Council:

Gentlemen—We refer to you herewith for your consideration and action thereon an ordinance authorizing the improvement of the roadway of Virginia avenue, from the first alley north of Stevens street to the first alley south of Prospect street, by resurfacing the roadway with asphalt as authorized by Improvement Resolution No. 212, 1902, adopted by this Board on July 18th, 1902.

This action is necessary on account of remonstrance signed by more than one-half of the resident property-holders, filed September 3d, 1902.

This street is in bad condition, one damage suit is being prepared, and several others are threatened, and the law department advises the closing of the avenue until the same is resurfaced.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which were read and referred to Committee on Sewers, Streets and Alleys.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 23, 1902: An ordinance appropriating the sum of \$1,000 for the Department of Finance on account of the inspection of scales, weights and measures, and fixing a time when the same shall take effect.

Made the following report:

Indianapolis, September 8, 1902.

Mr. President—Your Committee on Finance beg leave to report that they have had Appropriation Ordinance No. 23, 1902, under consideration and recommend that the same do pass.

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
JAMES D. MORIARITY,
JAS. E. BERRY,
J. H. CRALL,
FRED W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 66, 1902: An ordinance authorizing and directing the transfer of the sum of \$2,050.00 from a certain fund to certain funds, for the use of the Department of Public Safety, and fixing a time when the same shall take effect.

Made the following report:

Indianapolis, Ind., September 8, 1902.

Mr. President—Your Committee on Finance beg leave to report that they have had General Ordinance No. 66, 1902, under consideration and recommend that same do pass.

T. A. WYNNE,
W. A. RHODES,
B. F. WYSONG,
JAMES D. MORIARITY,
JAS. E. BERRY,
J. H. CRALL,
FRED W. EPPERT.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Cooper, on behalf of the Committee on Railroads, to which was referred G. O. No. 67, 1902: An ordinance approving a certain contract granting The Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack

across the first alley east of Rural street running north from Roosevelt avenue in the City of Indianapolis.

Made the following report:

Indianapolis, September 15, 1902.

Mr. President—Your committee to whom General Ordinance No. 67, 1902, was referred, recommend that same do pass.

LEW. W. COOPER,
T. A. WYNNE,
J. H. BILLINGSLEY.

Which was read and, on motion of Mr. Negley, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

General Ordinance, No. 69, 1902: An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: On the 25th day of February, 1902, the Indianapolis Union Railway Company filed their petition before the Board of Public Works of the City of Indianapolis as follows:

PETITION.

Indianapolis, Ind., February 25, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The Indianapolis Union Railway Company, operating the Belt Railroad, hereby respectfully petitions permission to construct a sidetrack parallel with and thirteen (13) feet from and on the north-west side of the present track connecting the Belt Railroad and the Indianapolis & Vincennes Railroad, said proposed track crossing Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, between the Belt Railroad tracks and said Indianapolis & Vincennes Railroad connecting track and extending from a connection with the west-bound main track of the Belt Railroad on a curve line with a radius of about 486 feet to a connection with the main track of the Indianapolis & Vincennes Railroad at a point about 690 feet northeasterly on the center line of said Indianapolis & Vincennes Railroad main track from the east line of Miller street, all as shown on the attached blue print marked Exhibit "A."

THE INDIANAPOLIS UNION RAILWAY COMPANY,

By A. A. ZION,
Superintendent.

NOW, THEREFORE, This Agreement, made and entered into this 29th day of August, 1902, by and between the Indianapolis Union Railway Company, of the City of Indianapolis, County of Marion, State of

Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, in the City of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or side track upon the terms and conditions hereinafter set forth, to-wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossings where said sidetrack or switch intersects Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said side track or switch and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack shall become out of repair or in need of being reconstructed, or become in anyway defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claim for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provisions of this instrument by said party of the first part or by any one for it or at its instance or with its permission shall operate as an immediate and absolute forfeiture of the

privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, in the City of Indianapolis, as follows:

A sidetrack parallel with and thirteen (13) feet from and on the northwest side of the present track connecting the Belt Railroad and the Indianapolis & Vincennes Railroad, said proposed track crossing Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, between the Belt Railroad tracks and the said Indianapolis & Vincennes Railroad connecting track and extending from a connection with the west-bound track of the Belt Railroad on a curve line with a radius of about 486 feet to a connection with the main track of the Indianapolis & Vincennes Railroad at a point about 690 feet northeasterly on the center line of said Indianapolis & Vincennes Railroad main track from the east line of Miller street, all as shown on attached blue print marked Exhibit "A."

IN WITNESS WHEREOF, We have hereunto set our hands, this 29th of August, 1902.

INDIANAPOLIS UNION RAILWAY COMPANY.

By JAMES McCREA,

President,

Party of the First Part.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works,

Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

General Ordinance No. 70, 1902: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington street, from the west property line of Alabama street to the Union Railway Company's tracks, by re-

surfacing with asphalt, in accordance with Improvement Resolution No. 238, 1902, as adopted by the Board of Public Works, and fixing a time when the same shall take effect.

Whereas, The Board of Public Works of the City of Indianapolis, Indiana, did on the 8th day of August, 1902, adopt Improvement Resolution No. 238, 1902, for the improvement of Washington street from the west property line of Alabama street to the Union Railway Company's tracks, by resurfacing the roadway with asphalt from curb to curb to a uniform width of eighty (80) feet, including the wings of the intersecting streets and alleys where designated, excepting seventeen and seventy-five hundredths (17.75) feet in the center of the street occupied by street car tracks and forty-four (44) inches on each side, being the gutters; paving the gutters with Hayden block to a uniform width of forty-four (44) inches, placed on a six (6) inch concrete foundation; placing the necessary curb and marginal stone; and

Whereas, The said Board of Public Works did at the same time fix the 27th day of August, 1902, at 10 o'clock a. m., as a date to hear all persons interested or whose property is affected by said proposed improvement; and a notice of the passage of said resolution and of the said time for hearing was published on the 11th and 18th days of August, 1902, in the Daily Reporter, a daily newspaper of general circulation, printed and published in said city, and notices by mail duly forwarded as provided by law; and

Whereas, At the time set for hearing as aforesaid petitions in writing of resident freeholders were filed in the office of the Board of Public Works, remonstrating against the resurfacing of said street; and

Whereas, the Board of Public Works did on the 27th day of August, 1902, defer taking final action on said resolution, taking the matter under advisement; and

Whereas, On the 3d day of September, 1902, the Board having met in regular session, took final action on said improvement resolution, confirming the same without modification; and

Whereas, On the 6th day of September, 1902, a written remonstrance was filed with the Board against the resurfacing of said Washington street as provided in said resolution, and the same was referred to the City Civil Engineer for investigation and report; and

Whereas, On the 11th day of September, 1902, the City Civil Engineer filed his written report to the effect that a majority of the resident property-owners had signed said remonstrance; and

Whereas, On the 15th day of September the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to improve roadway of said Washington street by resurfacing with asphalt, in accordance with said resolution; now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Board of Public Works of said city be and the same is hereby authorized and empowered to improve and pave said Washington street from the west property line of Alabama street to the Union Railway Company's track by resurfacing the roadway with asphalt from curb to curb, to a uniform width of eighty (80) feet including the wings of the intersecting streets and alleys where designated, excepting seventeen and seventy-five hundredths (17.75) feet in the center of the street occupied by street car tracks and forty-four (44) inches on each side, being the gutters; paving the gutters with Hayden block to a uniform width of forty-four (44) inches, placed on a six (6) inch concrete foundation; placing the necessary curb and marginal stone, in accordance with Improvement Resolution No. 238, 1902.

adopted by the Board of Public Works on the 8th day of August, 1902.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Board of Public Works:

General Ordinance No. 71, 1902: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Virginia avenue from the north property line of the first alley north of Stevens street to the south property line of the first alley south of Prospect street, by resurfacing the roadway with asphalt and brick gutters in accordance with Improvement Resolution No. 212, 1902, adopted by the Board of Public Works, and fixing the time when the same shall take effect.

Whereas, The Board of Public Works of the City of Indianapolis, Indiana, did on the 18th day of July, 1902, adopt Improvement Resolution No. 212, 1902, for the improvement of Virginia avenue, from the north property line of the first alley north of Stevens street to the south property line of the first alley south of Prospect street, by resurfacing the roadway with asphalt from curb to curb, to a uniform width of fifty (50) feet, including the wings of the intersecting streets and alleys, except a space seventeen and seventy-five hundredths (17.75) feet in the center of the street occupied by the street car tracks, and thirty-three (33) inches on each side, being the gutters; paving the gutters with Hayden block to a uniform width of thirty-three (33) inches, laid on a six (6) inch concrete foundation; and placing the necessary catch basins and inlets; and

Whereas, The said Board of Public Works did at the same time fix the 11th day of August, 1902, at 10 o'clock a. m., as a date to hear all persons interested or whose property is affected by said proposed improvement; and a notice of the passage of said resolution and of the said time for hearing was published on the 19th and 26th days of July, 1902, in the Daily Reporter, a daily newspaper of general circulation, printed and published in said city, and notices by mail duly forwarded as provided by law; and

Whereas, At the time set for hearing as aforesaid, petitions in writing of resident freeholders upon said street were filed in the office of Board of Public Works, remonstrating against the resurfacing of said street; and

Whereas, The Board of Public Works did, on August 11, 1902, defer taking final action on said resolution, taking the matter under advisement; and

Whereas, on the 25th day of August, 1902, the Board having met in regular session, took final action on said Improvement Resolution, without modification; and

Whereas, On the 2d day of September, 1902, a written remonstrance was filed with the Board against the resurfacing of said Virginia avenue, and the same was referred to the City Civil Engineer for investigation and report; and

Whereas, On the 6th day of September, 1902, the City Civil Engineer filed his written report, stating that a majority of the resident property-owners had signed said remonstrance; and

Whereas, On the 15th day of September, 1902, the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis, with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to improve the roadway of said Virginia avenue by resurfacing with asphalt, in accordance with said resolution; now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Board of Public Works of said city be and the same is hereby authorized and empowered to improve and pave said Virginia avenue from the north property line of the first alley north of Stevens street, to the south property line of the first alley south of Prospect street, by resurfacing the roadway with asphalt from curb to curb, to a uniform width of fifty (50) feet (including the wings of the intersecting streets and alleys), except the space seventeen and seventy-five hundredths (17.75) feet in the center of the street occupied by street car tracks, and thirty-three inches on each side, being the gutters; paving the gutters with Hayden block to a uniform width of thirty-three (33) inches, laid on a six (6) inch concrete foundation; and placing the necessary catch basins and inlets, in accordance with Improvement Resolution No. 212, 1902, adopted by the Board of Public Works on the 18th day of June, 1902.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

MISCELLANEOUS BUSINESS.

Under this order of business Mr. Warweg offered the following petition:

Indianapolis, Ind., September 9th, 1902.

IT IS HEREBY AGREED that certain members of the Central Public Market have this day organized themselves into a body to be known as the Market Dealers' Order, for the purpose of appointing a committee with a view to urging present needed improvements herein set forth.

We refer to the urgent need of a building over the space lying by the east side of the Central Meat Market. Many of the stand owners are old and infirm and have no other means of support, and to have this building finished by the time extreme cold weather sets in will avoid much distress by enabling them to continue their business comfortably, besides no other time of the year is so suitable to do the work as in the fall and early winter, as at that time a less number of stands are occupied, making room for the workmen. We want to be specific in our urgent request that an effort be made to finish the work by the time the extreme cold weather sets in. The suffering of the dealers standing exposed to the rain and slush and snow and cold certainly appeals to the sympathy of our representatives and deserves their earnest consideration, besides the fees on about one hundred stands that are now vacant are being lost that would be saved to the city if the building was up, as they would be occupied.

As much as we approve of public parks, boulevards and all healthful resorts, we must protest against the custom of taking part of the fees paid by the market dealers and using them for other purposes comparatively of little use to them, while many of these same market

dealers are left without shelter or means to protect themselves from the storms of winter and the scorching sun of summer.

It Is Resolved, That this body indorse the recent petition for a building at the place above stated and signed by over eleven hundred interested parties, and earnestly urge that immediate action be taken in behalf of said petition, which simply asks for a building for the protection of the people from inclement weather without regard to upper stories for other purposes, but we respectfully suggest that the building be a complete inclosure one story high over the entire space and not simply a shed, and that copies of the above resolution and facts be sent to our City Mayor, City Council, the Board of Public Works and Board of Safety.

E. S. SHELLHOUSE,
Secretary, pro tem.

Which was read and referred to Committee on Finance.

Mr. Wheeler (by request) offered the following:

To the Honorable Council of the City of Indianapolis:

The undersigned, stand-owners of the East Market, and others interested, respectfully call your attention to the urgent need of a building over the space between Alabama street and the East Meat Market, for the protection of the salesmen and their customers, and request that your honorable body take immediate action with a view to erect a suitable building thereon:

J. K. Banks,	John Smither,	Pritchard & Son,
R. C. Cross,	Gizella Horschoff,	J. Straffa,
P. Brok,	William Lasly,	A. Stout,
C. A. Walker,	Fred Danner,	J. M. Demoss,
Samuel A. Kelly,	K. A. Schmidt,	D. Sowders,
Wm. M. Elliott,	Martin Jefferson,	Miles Numan,
George Miller,	John Gaalema,	— Wachtel,
Thomas Calralane,	J. M. Claw,	Chas. Kohlman,
Charles Hess,	M. Haberer,	W. E. Boles,
William Croom,	J. B. Fletcher,	C. Anderegg,
Scipio Weesner,	J. A. Shireman,	A. V. Green,
Oscar O. Adams,	John McCann,	J. A. Brown,
Leo J. Rickenbach,	Wash. Woodruff,	T. Leeds,
G. W. Marley,	J. R. Steinmas,	G. W. Brown,
Wm. Thompson,	William Kopks,	Joseph Singleton,
T. Eck,	Wm. Jones,	A. J. Hallett,
J. F. Householder,	H. C. Franklin,	Wall Gill,
S. Yoder,	C. C. Lange,	Frank Chartain,
J. E. Cordell,	K. C. Albright,	H. Shewmons,
A. Kahn,	S. D. Shannon,	G. W. Depp,
John J. Roades,	H. G. Coleman,	Mrs. Miggemburg,
George Mills,	A. J. Valentine,	Alice Prather,
Robert Darneal,	C. Frauer,	S. L. Fortner,
Han Case,	M. Wilkes,	Wm. Williams,
W. A. Jones,	Samuel Kercheval,	Chas. Norton,
M. O. Printz,	Wm. Nicewonder,	H. E. Woodring,
A. R. Crawford,	J. W. Brookfield,	Mrs. Eva McCary,
W. F. Hartmann,	John Dally,	Mrs. Espey,
J. Ziegelmueeller,	M. W. Brown,	Miss Maggie Rathsam,
Charles Fritz,	Bertha A. Harde,	James Tucker,
A. E. Thompson,	Blanche Elwood,	Wm. Lewellen,
O. Bayys,	James Lynne,	M. Thiny,
C. P. Albright,	S. Kennedy,	Chas. Sindlinger,
H. E. Travis,	Henry Weiker,	I. Goodall,

Fred Bates,	L. E. Moness,	N. Calhoun,
A. J. Bailey,	M. O. Moore,	John Brenner,
Roy De Grandrut,	J. B. Archer,	I. Parent,
J. E. Grimes,	Henry Karchner,	John Murray,
J. J. Epler,	May Thompson,	Martin Coffee,
Ray Willits,	S. G. Burton,	Squire Noble,
O. M. Bowman,	W. T. Butcher,	R. M. Austin,
James Hicks,	C. L. Helm,	B. Matthews,
G. P. Wallace,	C. E. Russell,	J. Swickard,
E. Moran,	Ora Pollock,	Jacob Grimm,
H. F. Oesterel,	Herman Vollroth,	Mrs. Forgensen,
Fred Maran,	Jno. Moore,	Geo. McKibbons,
Jessie Grove,	Sam Robinson,	Chas. Bauer,
J. Young,	A. Sogemeier,	George Jones,
W. M. Armstrong,	Irwin Miller,	H. H. Poulter,
Edward Sweatt,	E. E. Wisdon,	A. Nogel,
H. D. Martin,	— Rosson,	A. Sogemeier,
W. H. Grim,	Andrew Mirchell,	Frank Duncan,
W. J. Hartley,	C. C. Bogert,	Robert Bronsan,
Albert Burk,	E. C. Griggs,	E. A. Schaefer,
B. Norelholt,	S. E. Suter,	Frank Nicholson,
F. Vogel,	N. B. Price,	J. M. Etherton,
Geo. F. Schowe,	Wm. Neff,	Clifford Day,
G. J. Harmon,	A. H. Brewer,	F. W. Desary,
R. Hanley,	J. S. Demoree,	John Lovell,
H. Losche,	Wm. Geimes,	Ed. Beemer,
H. Foltz,	C. Weiker,	Chris. Kirklopp,
J. Tacoma, Jr.,	S. A. Boylin,	Wm. Nunamacher,
W. Pieper,	Thomas Kelleher,	Robert Webb,
J. Ladaeky,	H. Lomkhorson,	F. Weber,
A. Grande,	Wm. Sheldon,	Henry Schmidt,
L. Bridges,	E. S. Shellhouse,	Mrs. Geo. Brockman,
M. J. Waters,	Chas. Mitchell,	Mrs. Emma Taylor,
A. Lichterman,	Jno. Horning,	J. M. Pruitt,
A. Denk,	Marion B. Wilson,	Ada Jewitt,
F. M. Tomlinson,	Carl Hagedom,	Alice Adams,
Emil Vollrath,	J. J. Clark,	C. N. Adams,
Chas. H. Tawna,	Jerry Gates,	M. A. Hamalton,
Oscar Markun,	Thomas McCoin,	Mrs. Wm. Hartmann,
J. Kahn,	Jacob Reed,	Mrs. M. Goforth,
A. B. Clapp,	M. Quackenbush,	E. N. Wyatt,
Sophia Fry,	D. M. Springer,	Geo. Defury,
William Thompson,	Ballard Purdue,	A. Williams,
C. W. Seigman,	I. E. Robertson,	Willie Lillard,
Ed. H. Bartlett,	Sam A. Brown,	Leo Mullen,
Al Walker,	Mrs. M. E. Reed,	Cap. Fry,
Chas. J. Peden,	J. F. Low,	C. Danthis,
E. Butcher,	B. F. Gibson,	Awandia Walker,
Mrs. Sharkey,	Jacob Reiffel,	Cassie White,
Lewis Bishop,	Orrie L. Kuhn,	Charles A. Miller,
Wm. Cook,	C. E. Moore,	Allen Woodring,
Joseph Suers,	E. J. Walker,	Francis Woodring,
Fred Marshall,	W. Atkinson,	N. Duncan,
John Vollmer,	Jacob Price,	Richard Vorhees,
H. H. Buscher,	E. Barnes,	Alica Cadres,
J. R. Doolittle,	W. J. McMillan,	S. I. Goodwin,
Edward Petras,	Wm. Gentry,	A. C. Dening,
John Bergman,	C. M. Reagan,	H. R. Matzke,
Eugene F. Lentz,	Curtis Hendricks,	J. Childers,
W. Hoffman,	John Hendricks,	Geo. Sellers,

Henry Riechemmeyer,	Wm. Wendel,	N. E. Faerber,
Jacob Zier,	R. F. Miller,	Paul Lagemann,
James Hayward,	Nellie Riebel,	Ed. Farris,
Soloman Barrett,	C. C. Schilstmeier,	John Schilling,
J. Majors,	C. W. Gibbons,	L. Williams,
H. E. Hoban,	Albert Janes,	John C. Overmann,
Sidney Flack,	A. C. Howard,	M. V. Parrett,
David C. Briley,	J. J. Epler,	M. Waterman,
Wm. Karstedt,	H. Klinge,	W. S. Smith,
George Rickenbach,	M. Johnson,	James Foley,
Silas Miller,	Jas. P. Snowden,	William Fithian,
Harry W. Limpus,	J. E. Wennam,	Carrie Harberer,
J. H. Romerill,	Charlie Wells,	Rev. E. W. McIntosh,
Jno. R. Gray,	J. A. Riebel,	— Jenkins,
Wm. Donahue,	Edwin Fink,	Chas. Mann,
J. A. Keehan,	J. L. Doll,	M. Minsbrush,
N. M. Keehan,	H. G. Davis,	E. Mauzey,
B. Ferguson,	I. C. Hanson,	C. F. Morris,
John Warner,	L. C. Stemple,	Wm. Losche,
R. H. Belcher,	E. M. Means,	M. E. Holmes,
W. S. Evans,	M. Winamorus,	M. C. Arnold,
Ota Priest,	D. C. Owens,	John Gramas,
J. Golder,	Marie Watson,	F. Eck,
J. E. Hunter,	Katie Wliss,	W. F. Smith,
C. Turner,	M. B. Cook,	Mrs. Candless,
J. P. Smith,	Mrs. A. Wilson,	G. W. Brown,
O. A. Gentry,	Geo. W. Flora,	C. C. Ceting,
P. F. Dangerfield,	Mrs. W. Flora,	James Caldwell,
Thomas Jones,	S. A. Hastings,	James M. Sawder,
Frederick Hawthorn,	D. Williams,	L. Blackman,
Henry F. Short,	James Burk,	John L. Keon,
H. Hankins,	F. Brady,	Chas. Cherdron,
Andrew Thomas,	Margeret Brady,	L. Carter,
Charlie Gaalena,	J. T. Cugar,	A. R. Perdue,
T. M. Whiting,	E. W. Millikin,	N. L. Martin,
W. H. Buford,	Milton Dougherty,	F. Alasandre,
J. W. Sheen,	Joseph Wagoner,	Rollo Summers,
L. Groves,	R. Allison,	Wm. Workman,
Robt. Peelle,	George Wanlock,	E. Dexon,
Geo. W. Lancaster,	A. R. Parsons,	Henry Schwinge,
Joseph Cochran,	W. R. Copper,	W. R. Garber,
J. M. Woods,	A. Walker,	M. G. Hilman,
Wm. A. Ridgeway,	Moy Kee,	J. P. Smurr,
W. A. Goodnecht,	W. J. Powers,	M. Beam,
John Robinson,	Frank Schofield,	E. B. Shellhouse,
Louis F. Rafert,	Walter Trietsch,	J. B. Holdson,
James Rocnan,	Geo. Trietsch,	Mrs. J. E. Duff,
William Segerice,	Chas. Lagler,	M. S. Johnson,
J. W. Clark,	A. C. Langtry,	D. P. Heckmar,
Peter Murray,	H. M. Botteman,	L. C. Johnson,
B. M. Worful,	— Glandel,	B. A. Tacoma,
J. E. Bailey,	George Nanclear,	J. R. Alexander,
W. C. Snook,	Sarah J. Barker,	J. E. Rehme,
Ellen Davidson,	A. Hohuan,	Mrs. Patterson,
Mary Weesner,	J. B. Powell,	Ella Morris,
Clarrenna Adams,	A. C. Kappelley,	C. T. Abel,
J. G. Kingen,	Geo. P. Lee,	J. W. Heagar,
Gusta Kingen,	John Jones,	Sererl Sweeney,
Willie Snow,	M. M. Greene,	Mary Vertreese,
Harry Snow,	P. Jodiena,	G. W. McWilliams,

S. B. Van Pelt.
 R. F. Van Pelt,
 Ralph Gudenner,
 Carl Girst,
 J. Keller,
 S. C. Reynolds,
 O. Snotwell,
 George Fischer,
 J. E. Spellman,
 Martin Marlemo.
 J. Oppingal,
 H. C. Millikin,
 Jean Williams,
 Mrs. H. Kundsens,
 M. Nash,
 S. Stott,
 Benj. Gordan,
 Pearl Taylor,
 John Kirkendoll,
 B. D. Smith,
 Mrs. R. M. Morgan,
 Josh Middleton,
 W. Duly,
 A. W. Patterson,
 W. R. Moore,
 Mrs. C. R. Faut,
 Jno. Turner,
 Newton Hoffines,
 J. Black,
 Mrs. J. F. Long,
 Morton Eaton,
 B. Miller,
 John Shepphard,
 W. F. Rupe,
 Ewd. Walker,
 C. L. Nieman,
 Wm. Wilson,
 C. W. White,
 R. Marchal,
 Lon Bowman,
 O. Wellington,
 E. Haitt,
 Frank Simms,
 Jos. R. Perry,
 H. O. Moore,
 M. J. Stewart,
 J. Van Pelt,
 Wm. Hill,
 Fred Rome,
 Fred Stickman,
 H. Weghast & Bro.,
 H. Lipmann,
 Wm. Westerfield,
 Wm. Meyer,
 Chas. W. A. Bohn,
 August Wacker,
 William Brehob,
 Jacob Goepper,
 Fritz Lentz,
 Jacob Off,

L. Melhring,
 L. A. Jenne,
 A. F. Messick,
 D. Spalding,
 W. H. Hosea,
 M. A. Kirsch,
 Harry Frey,
 E. Cadres,
 M. H. Parker,
 S. E. Scott,
 Mrs. A. Annabil,
 William Redmond,
 Marilla Barnes,
 Jacob Grimm,
 Walter O. Stumph,
 Chas. A. Lentz,
 A. C. Degischer,
 John Dillinger,
 Alfred N. Tatrim,
 J. B. Couchman,
 Wm. Smith,
 George Rosner,
 Wm. Niermann,
 P. I. Nysewander,
 H. H. Ziegelmueller,
 Wm. H. Teblel,
 Herman Stelzner,
 T. A. Croan,
 William Pierson,
 Herman Doerre,
 F. R. Wilson,
 C. K. Rinney,
 F. A. Burgan,
 E. Olcott,
 L. Sectors,
 N. E. Dean,
 O. D. Lifler,
 E. I. Diem,
 Geo. E. Grimm,
 J. M. Williams,
 O. E. Day,
 P. D. Brinkman,
 O. Rienam,
 Jno. Mushrush,
 Mrs. Lillie Jordan,
 Henry Baeyer,
 T. Trucker,
 Harry Wattman,
 John Muller,
 H. E. Wischmeyer,
 Jennie Lewis,
 Mrs. Nettie Van Pelt,
 Annie Reed,
 — Brunswick,
 A. Z. Athen,
 W. Kahn,
 W. W. Day,
 — Backmeyer,
 — Hartley,
 Harry Baskin,

Lize Dunn,
 H. Underwood,
 M. Peterson,
 John Thompson,
 Jesse Gary,
 A. J. Fisens,
 C. O. Line,
 Priscilla Hayes,
 W. Graham,
 Eva Crawford,
 P. L. Barnum,
 Clarence Shohn,
 Henry Harrison,
 George Krieg,
 Annie Cross,
 A. J. Ream,
 H. E. Bechtow,
 Frank Ziegelmueller,
 Harry Hiner,
 J. E. Scroggins,
 R. M. Cline,
 Jas. N. Robinson,
 J. H. Hinsay,
 John Thomas,
 C. W. Sheeton,
 C. F. Vincent,
 S. H. Sheeton,
 J. E. Amos,
 W. E. Blackwell,
 J. C. Blackwell,
 H. Forsha,
 Chas. McCarthy,
 J. Wright,
 J. Robey,
 J. Dockes,
 W. Shaphanson,
 John Marsh,
 S. Scott,
 J. E. Newby,
 G. Ballard,
 Leroy Newby,
 F. Weghaft,
 Albert Off,
 Charley Sturm,
 Mrs. F. Hunter,
 Mattie Night,
 J. Ankenbauer,
 W. E. Thompson,
 Bessie Hiatt,
 Wm. Taylor,
 L. J. Tomlinson,
 T. Lmooks,
 Geo. L. Butcher,
 L. Neumeske,
 J. H. Butcher,
 C. Stirmph,
 Ira Van Pelt,
 Mrs. Pawma,
 B. Jelgerhius,
 S. Snitman,

H. Long,	Grant Cobler,	L. Hardrick,
A. Zier,	Lawson Clarkson,	John Richey,
Charlie Bohn,	Wm. Johnson,	S. T. Henach,
J. Marks,	William Gett,	E. M. Cook,
M. Berkien,	Wm. Johnson,	Lee Snyder,
W. S. Bain,	E. H. Thayer,	J. B. Graff,
M. Stemple,	Frank Ross,	T. E. Morgan,
W. H. Starchman,	T. Miller,	Wm. Lichlyter,
M. Ross,	Wm. Carter,	S. J. Rawley,
Geo. Graalema,	J. Lefhowitz,	F. Melville,
A. L. Seymor,	F. D. Winter,	F. E. Billeler,
Mary Weiz,	S. Stewart,	G. W. Theneplau,
Geo. E. Anburn,	Jas. H. Lee,	Ethel Vaughn,
M. Kersler,	Lewis Amos,	H. U. Anderson,
A. D. Gilng,	O. F. Hendricks,	Jacob Young,
Miss Engalogue,	J. L. Southard,	W. T. Barton,
George Ennuinck,	James Vance,	F. M. Moore,
F. Pittman,	W. T. Cnscaeden,	Ben Quackenbush,
C. H. Everitt,	Earl B. Wilson,	Edna McFadden,
Louis C. Asmur,	J. D. Sears,	B. Clark,
C. W. Brandt,	A. M. Hume,	Mrs. Sarah A. Ziegler,
C. F. Watson,	F. Bracken,	Ella Cherpín,
J. F. Stilz,	L. Hiatt,	N. Mead,
R. B. Jenkins,	Thomas Crawford,	John Hess,
J. Rosezneeig,	Elvina Hawkins,	D. W. Brouer,
W. S. Gardner,	J. M. Layman,	W. T. Tate,
John Breester,	Wm. Stockan,	Mrs. L. Hise,
Frank Fiscus,	J. N. Harlan,	Mrs. Jones,
Herman Pieper,	A. C. Trnsler,	A. L. Stuckmeyer,
E. Simpson,	L. L. Ingraham,	J. H. Siedman,
O. O. Tapp,	A. Ingraham,	Carrie Jones,
B. Hockett,	Jennie Powers,	E. Montgomery,
Gustave Schmenke,	I. N. Dodson,	John Blackwell,
Wm. Marshmeyer,	H. Ortesky,	G. W. Stewart,
A. Marks,	Chas. Bernlocher,	John M. Anderson,
L. Valmege,	S. Kaehn,	D. Linus,
J. C. Ball,	Charles T. May,	W. Bremer,
C. D. Hour,	Katie M. May,	E. F. King,
Geo. Wysong,	Wm. Jones,	Rosa Willson,
C. W. Phillips,	W. Gortimer,	L. H. Minees,
C. H. Shellhouse,	Rufus Harmony,	E. Goldsmith,
K. K. Mann,	A. Conrad,	W. R. Wilson,
M. H. Dawson,	W. Shoemaker,	Edwin Manzeg, Jr.,
George Baubank,	J. R. Kimberlin,	Robt. T. Irwin,
J. B. Sage,	Aaron King,	E. G. Ceedin,
John Cure,	T. J. Dewlin,	C. Mitchell,
Philip Payear,	James Meltan,	L. Barton,
Mort Chem,	Wm. Pletzer,	D. L. Shideler & Co.,
J. Richard,	H. B. Hill,	H. E. Pfeiffer,
Jacob Laffler,	Fred Bishoff,	Hiram Applegate,
Wm. Powless,	H. T. Bowser,	Myron Brower,
E. Champ,	W. Vernuon,	M. Grimes,
J. Jaer,	Frederica Wenzler,	R. Marshal,
J. B. Clary,	S. Goldhoff,	J. Hussell,
Ed. Campbell,	William Hise,	Clareuce I. Baker,
W. W. Manee,	A. H. Traub,	E. Heckler,
J. Weiss,	P. Hebble,	Enoch Warman,
Anderson Roy,	Wm. Whitney,	E. A. Brakmeier,
F. H. Power,	C. Mitchell,	William Bramme,
J. A. Woodbridge,	W. Bakers,	C. H. Fraser,

F. P. Teuster.	C. E. Fassett.	A. M. Herold.
C. Ewing.	W. J. Sangstou.	Mrs. E. Burke.
S. Brown.	S. M. Geheslade.	Kate Wachtel.
Will Nichols.	Mrs. M. J. McCarthy.	Fred A. Weizel.
Harry Jones.	M. A. Young, M. D.,	R. E. Hardin.
Thomas Snyder.	R. Roberts.	Dorman N. Vinson.
Frank Shellhouse.	J. M. Watson.	A. Pendergast.
Wilson Clark.	S. W. Moore.	Phillip Heill.
H. G. Patterson.	W. H. Reed.	H. Hickman.
A. Martin.	M. H. Hosea	Mrs. Lucy Caton.
R. Alexander.	C. H. Young.	H. Thorpe.
L. McFadden.	B. Vogg.	G. L. Ruffel.
Geo. T. Close.	Emma K. Everett.	R. E. Woods.
James P. Orr.	Maude E. Dingman.	J. M. Burton.
A. Dimlea.	Julius H. Smith.	N. I. Legg.
J. C. Roberts.	Ike Cohen.	Edward Rice.
George Train.	John B. Wirt.	S. Johnson.
C. Hubbell.	A. M. Buchanan.	A. Lockmann.
S. Hubbell.	John Miller.	Will Green.
Carl Cargrove.	T. B. Barrick.	C. Frederick.
Ed. Monroe.	D. Bright.	A. Ostertag.
Sam Edwards.	M. Tapp.	R. Morris.
Carl Simpson.	H. Atkins.	Willie Cook.
H. G. Hall.	W. B. Stewart.	H. A. Clark.
Pete Hamp.	M. J. Cowhed.	R. G. Gibson.
Saul Russell.	H. Tucker.	Harry Welling.
Wm. Blind.	James Fisher.	Alfred A. McClure.
Carl Sapp.	M. E. Rubush.	Thomas Francis.
J. L. Slimp.	Mrs. Frank Kinney.	Charlie McClure.
T. John Getter.	E. A. Clark.	Geo. Lowe.
Sam Butler.	A. Jackson.	Jacob Cohen.
C. C. Yagcline.	Julius Matzke.	E. J. Stunson.
F. H. Smith.	A. Wallace.	J. B. Haldson.
Chas. Dimedde.	Mrs. M. Hestfield.	Lizz.e Allen.
M. C. Kelly.	Chas. F. Holmes.	E. Williams.
Jno. Clayton.	F. Stout.	Paul Mascari.
William Vorhes.	C. W. Clifton.	Jacob Hart.
Nelson Dixon.	T. J. Egan.	M. Torbit.
Nancy Fry.	Gus Love.	S. A. Hiscus.
S. C. Whiteman.	June Baker.	Thorton Andrews.
C. E. Shannon.	G. Klien.	Mrs. E. L. Birge.
A. S. Risley.	Isaac Field.	Louise Long.
Kate Brady.	John Nachtel.	Roxie Ulter.
Annie Meyers.	D. L. Demoree.	— Salisejason.
Edw. T. Owens.	J. C. Zaenglein.	Virginia McMillan.
H. H. Millikan.	E. Holdson.	O. Caylor.
Jesse Clark.	F. M. Reynolds.	M. Milcon.
Lewis Ricks.	J. W. Pierce.	C. Harrison.
Walter Wm. Campbell.	E. Reeves.	William Blanford.
J. M. Engey.	H. F. Smith.	M. Talf.
Fred Montani.	J. C. Burgan.	B. Black.
J. B. Canfield.	E. H. Adams.	Fannie S. Stewart.
T. P. Daniels.	J. H. Davis.	M. Smith.
N. Niler.	Geo. Johnson.	H. Clark.
Maggie Weiss.	C. S. Paston.	L. Fant.
S. R. Taylor.	John Stone.	C. Williams.
P. Seyffert.	E. Duncan.	M. B. Engleman.
T. C. Hamilton.	B. Ease.	A. S. Smith.
James Moore.	Mrs. W. R. Dilley.	John Thornton.
Jerry Brachcaw.	A. E. Fowler.	W. R. White.

E. Graham,	Alex Ford,	Charlie Spin,
L. C. Kuhn,	J. A. Bell,	Ed. Craig,
J. N. Herrington,	Mrs. Carrie Klauson,	H. Kolker,
Chas. F. May,	Rob. Wurste,	J. E. Blackman,
M. R. Elliott,	Wm. Simon,	F. W. Hebble,
Wm. Sowders,	Harry Heckmen,	F. Filz,
L. M. Clem,	Mrs. J. Crawford,	Jacob Stump,
A. W. Morgan,	W. A. Ford,	James Linus,
R. Wies,	Mary Richmond,	I. A. Dick,
A. S. McSonan,	Walter Montgomery,	John Dummelus,
W. A. Colegroves,	G. A. Huffman,	H. C. Cook,
F. Davis,	H. Bright,	I. M. Annoclie,
A. Chepter,	Kittie Jones,	A. P. Hamilton,
Ed. Gregory,	L. Pollard,	M. J. Head,
Elijah Jay,	Mattie Pitcher,	Henry Losche,
John G. Wright,	George Brozetton,	William Piepel,
J. White,	Art Oye,	F. Niemann,
F. P. Garr,	Ella Brazelton,	Henry Weghast,
Chas. Cook,	S. Stanford,	H. H. Stienabel,
A. Campbell,	Mrs. J. B. Edwards,	Christ. Hoerger,
W. Marshall,	Mrs. V. Walker,	George Off,
S. O. Pollock,	Henry Williams,	Henry Brehob,
O. Burke,	M. O'Brien,	J. H. Schoenemann,
W. Reams,	J. R. Shepard,	Jno. Stewart,
E. L. Dunn,	Z. Johnston,	C. Drake,
H. W. Keehn,	J. M. Collins,	M. A. Smith,
W. B. Cavox,	James B. Wright,	Wm. Jones,
James Donahue,	H. Green,	I. Saunders,
C. Riebe,	Geo. W. Ward,	W. Welsh,
John Kiemeier,	Peter Boone,	I. W. Marshall,
Chas. A. Parker,	Mason Jackson,	E. L. Marshall,
E. Doolen,	Mrs. Wm. Hann,	J. F. Deming,
Wm. H. Overmyer,	Mrs. Sam Hogland,	Mrs. T. Ryan,
J. Schott,	Mrs. Cora Weber,	Mrs. E. T. Huron,
Joseph Fisher,	Frank McCord,	Mrs. Conley,
W. D. Elliott,	A. V. Tucker,	E. T. Huron,
Steinmetz Bros.,	Jno. Hansen,	F. E. Thombrough,
E. Shattuck,	Jno. Dudley,	P. H. Sprang,
G. W. Thompson,	James Moslsan,	J. H. Dolly,
A. F. Loutt,	J. V. Matheny,	Will Brock,
Walter Sourbeer,	C. C. Flin,	Elmer Darnell,
Felix Bonourki,	J. A. Tullis,	Charles Cossell,
Fred Sudmeier,	Thomas Banks,	J. Grove,
Ida Doolittle,	M. Farmer,	Rowland P. Philips,
Thos. Snider,	L. K. Finley,	S. H. Gallagher,
William Arnold,	Emma Eldridge,	Henry Hopls,
Nathan Rosengarten,	Henry Freiberg,	Carl Lentz,
W. M. Harris,	D. W. B. Fletcher,	R. D. Ball,
Holmen Bennett,	A. Lincoln Leatherman,	A. S. Thorn,
Chas. Taylor,	E. N. Cook,	V. N. Horne,
A. L. Boies,	Wm. W. Edwards,	Fred Troutman,
Hugh McDonald,	J. W. Moore,	Geo. Singer,
Thomas Smith,		

Which was read and referred to Committee on Public Property and Improvements.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 23, 1902: An ordinance appropriating the sum of \$1,000 for the Department of Finance on account of the inspection of scales, weights and measures, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 23, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 66, 1902: An ordinance authorizing and directing the transfer of the sum of \$2,050.00 from a certain fund to certain funds, for the use of the Department of Public Safety, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 66, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 1, viz.: Mr. Kelly.

On motion of Mr. Billingsley the following entitled ordinance was taken up and read a second time:

G. O. No. 43, 1902: An ordinance grading certain members of the fire force of the City of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

The Committee on Fees and Salaries recommended the adoption of the following amendments to G. O. No. 43, 1902:

Section 1. Amend to read: Be it ordained by the Common Council of the City of Indianapolis, That the members of the fire force of the City of Indianapolis, holding the positions of stokers, drivers, hosemen, laddermen, linemen, tower watchmen, and telephone operators, are hereby graded, according to their length of service, into three grades:

On and after the 1st of January, 1903, all the aforesaid members shall constitute first grade; all members of said fire force appointed after 1st of January, 1903, shall serve one year as third grade, and two years as second grade, before becoming members of first grade: Provided, That all persons appointed as members of aforesaid fire force, after serving as substitute firemen, shall have said time served as substitutes deducted from time necessary to be served as members of third and second grades in their advancement to membership in first grade.

Amend section 3 to read: The annual pay of the officers and members of said fire force, not provided for in section 2, above, shall be as follows, viz.:

The chief of the fire force shall receive a salary at the rate of two thousand dollars per annum; the first assistant chief of the fire force shall receive a salary at the rate of fourteen hundred dollars per annum; the second assistant chief of the fire force shall receive a salary at the rate of thirteen hundred dollars per annum; the superintendent of telegraph shall receive a salary at the rate of fifteen hundred dollars per annum; the assistant superintendent of telegraph shall receive a salary at the rate of twelve hundred dollars per annum; each captain shall receive a salary at the rate of one thousand dollars per annum; each lieutenant shall receive a salary at the rate of nine hundred and twenty-five dollars per annum; each engineer shall receive a salary of nine hundred and twenty-five dollars per annum; the chief telephone operator shall receive a salary at the rate of nine hundred and twenty-five dollars per annum.

Mr. Billingsley offered the following amendment to the amendments of G. O. No. 43, 1902:

Amendment to Section 2 of G. O. No. 43, 1902, seventh line, amend to read:

Ten substitute firemen shall receive a salary at the rate of five hundred and forty dollars per annum.

Mr. Billingsley moved the adoption of the amendment to the amendments.

Which motion prevailed.

Mr. Crall moved that the amendments to G. O. No. 43, 1902, as recommended by the Committee on Fees and Salaries, with amendment to same, be adopted.

Which motion prevailed.

On motion of Mr. Billingsley, G. O. No. 43, 1902, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

Ayes, 14, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Kelly, Meyer, Moriarity, Shea, Sourbier, Wahl, Warweg, Wolsiffer, Wysong, and Vice-President Rhodes.

Noes, 5, viz.: Messrs. Cooper, McFarland, Negley, Wheeler and Wynne.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

G. O. No. 67, 1902: An ordinance approving a certain contract granting The Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the City of Indianapolis.

On motion of Mr. Cooper, G. O. No. 67, 1902, was then ordered engrossed, read a third time, and failed to pass, for want of a constitutional majority, by the following vote:

Ayes, 10, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Wheeler, Wynne, Wysong, and Vice-President Rhodes.

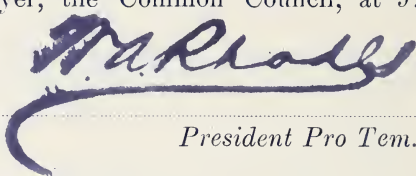
Noes, 9, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Sourbier, Wahl, Warweg and Wolsiffer.

Before the vote was announced by the chair Mr. Negley changed his vote from the affirmative to the negative, and offered the following:

Mr. President—I hereby give notice that I will move for the reconsideration of the vote on the passage of G. O. No. 67, 1902, at the next regular meeting of this Council.

H. E. NEGLEY.

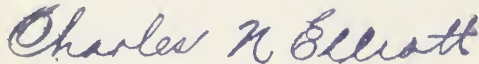
On motion of Mr. Meyer, the Common Council, at 9:08 o'clock p. m., adjourned.



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President Pro Tem.

ATTEST:



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City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
FRIDAY, September 26, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Friday evening, September 26, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,
City of Indianapolis.
Indianapolis, September 24, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the City of Indianapolis, Indiana, under section 45 of the City Charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 p. m., on September 26, 1902, in the Council Chamber of said city, for the purpose of taking action on and passing the following ordinances:

G. O. No. 68, 1902: An ordinance ordering and directing a certain tax levy for the year 1903.

App. O. No. 24, 1902: An ordinance appropriating money for general purposes for the year 1903.

Very truly yours,

CHARLES A. BOOKWALTER,
Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 19 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Wheeler, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Holliday.

On motion of Mr. Wynne, the Council took a recess of five minutes.

The Council reconvened at 8:05 o'clock p. m.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of a majority of the Committee on Finance, to which was referred G. O. No. 68, 1902: An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the city of Indianapolis, for the year 1903, and fixing the time when the same shall take effect.

Made the following report:

Indianapolis, September 24, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom has been referred G. O. No. 68, 1902, beg leave to report that they have had same under consideration and recommend the following amendments:

Strike out the words and figures eighty-six, in line six of section 1, and insert in lieu thereof the words and figures eighty-four. And when so amended we recommend that same do pass.

T. A. WYNNE,
J. H. CRALL,
FRED. W. EPPERT,
W. A. RHODES,
B. F. WYSONG.

Which was read.

Mr. Moriarity, on behalf of the minority of the Committee on Finance, to which was referred G. O. No. 68, 1902, made the following report:

Indianapolis, September 26, 1902.

To the President and Members of the Common Council:

Gentlemen—The undersigned, constituting the minority of your Committee on Finance, to which was referred G. O. No. 68, 1902, entitled "An ordinance ordering and directing the levy of an annual tax, and fixing the rate of levy and taxation for the City of Indianapolis for the year 1903, and fixing the time when the same shall take effect," respectfully recommend that Section 1 of said ordinance be amended by striking out therefrom the words "eighty-six cents" and inserting in lieu thereof the words "seventy-eight cents," and by also striking out the figures "86" in parentheses and inserting in lieu thereof the figures "78," and that when said ordinance is so amended that the same be passed.

We recommend this amendment for the following reasons:

1. The attempt to impose upon the taxpayers of this city a city tax levy of 90 cents can not be justified from any standpoint. It is increasing the burden of taxation in this city entirely beyond the city's needs if its affairs are economically and honestly administered. During the past year the tax levy for the maintenance of the city government was 71 cents, which, together with the special tax for police and fire pensions and sinking funds, made a total city tax of 75 cents. This levy has brought more money into the city treasury than the present administration with all its extravagances could expend. As is shown by

the present condition of the city treasury, it is now estimated that upon January 1, 1903, the end of the present fiscal year, there will be a balance in the treasury of between fifty thousand and seventy-five thousand dollars. When a tax levy of 71 cents brings in so much revenue that at the end of the year there is a balance in the treasury, what excuse can we make to the taxpayers of this city for imposing a burdensome tax levy upon them that will bring in two hundred and thirteen thousand dollars more than was raised by the tax levy for the present year?

If the levy of 71 cents for the present year has supplied sufficient revenue to enable this administration to leave a balance in the treasury at the end of this year, then to impose a tax levy upon the people to raise more than two hundred and thirteen thousand dollars more than for the present year is an injustice to every taxpayer of the city.

The valuation of the taxable property in the city has increased during the past year more than four million dollars, and yet in the face of this increase in the value of taxable property, this ordinance was introduced proposing the enormous increase of 15 cents upon the tax levy.

2. The legitimate needs of the city government for the coming year are not any greater than have been the needs of the city government in the past four years. The rate of taxation for general purposes for these years was as follows:

1898, tax levy for general city purposes.....	60c.
1899, tax levy for general city purposes.....	70c.
1900, tax levy for general city purposes.....	59c.
1901, tax levy for general city purposes.....	72c.

During the past four years the affairs of the city government were managed as well, if not better, than ever before in the history of the city and much better than during the present year, if we are to judge from the cleanliness and general repair of the streets. These low rates for city taxes were amply sufficient to supply the city with revenue during those years and at a time when the total valuation of taxable property was several million dollars less than for the coming year. During each of these years these tax levies raised sufficient revenue except for the one year when the levy was 59c. On account of this low tax levy, it was necessary to make a temporary loan, but the necessity for this temporary loan was caused by the action of a hostile Republican Council in repealing the licenses upon breweries and in refusing to levy a tax upon the gas mains of the two gas companies occupying the streets of the city.

A ridiculous attempt has been made to show that a high rate of taxation is necessary now because of the 59 cent tax levy during the year 1900; but you can not fool the taxpayer with any such ridiculous excuse, for at the beginning of the present year this administration by the sale of bonds, paid off all of the temporary indebtedness and transformed it into a part of the permanent debt of the city, so that not one penny of the revenue derived from the tax levy for the present year was used to pay that temporary indebtedness. Therefore the necessity urged by the present administration for the 90 cent tax levy can only be found in contemplated extravagances for the coming year.

3. In the communication from the Mayor urging the necessity for a 90 cent tax levy is a list of the items upon which an enormous increase is asked, among which are the following:

- For bridges and culverts, \$20,000 increase.
- Electric, gas and vapor lights, \$17,700 increase.
- Public buildings and repairs, \$26,500 increase.
- For cleaning and sweeping improved streets, \$20,000 increase.

Repairing permanently improved streets, \$25,000 increase.
Water and hydrant rentals, \$10,000 increase.
Cleaning Pogue's Run, \$5,000 increase.
Maintenance of unimproved streets, \$7,000 increase.

A reference to one item alone is sufficient to show that they constitute an outrageous and unnecessary burden upon the taxpayer. This item is for public lighting, in which an increase of \$17,700 is asked, the total amount asked for that purpose being \$135,000. The city is now paying \$85 per light, when it is known to every one that if bids for a new lighting contract were invited that bids would be received to light the city for not more than \$55 per light; thus a saving of at least one-third, or \$40,000 per annum, could be made on this one item alone, if the contract for public lights for the city was left to competitive bidders; for it is a known fact that a responsible corporation already holding a franchise in the city, is ready to bid for the lighting contract at \$55 per light, and willing to give bond that it will carry out the provisions of the contract if awarded to it. This administration refuses to let the contract for public lighting, compelling the taxpayers to pay tribute of at least \$30 per light to the Indianapolis Light and Power Co., and to which this administration but a few weeks ago secretly gave a valuable franchise worth many thousands of dollars, with scarcely no return at all to the city. A mere glance at the other items of increase set forth in the above list can not help but lead to the conclusion that the present city administration has asked for this enormous increase in order to provide employment for the hundreds of political favorites and hangers-on during the city campaign of the year 1903. .

4. This high and unnecessary rate of taxation proposed in the original ordinance will work great harm to the city in other directions. The Commercial Club and the Board of Trade are constantly inviting manufacturers to locate their factories in this city. One of the first things looked to by the manufacturer who contemplates moving to the city is the rate of taxation and this proposed increase of 15 cents can have no other effect than that of keeping away from the city many factories which otherwise would have located here.

We are unalterably opposed to the ordinance as originally introduced, and urge the adoption of the amendment proposed for the reason that a tax levy of 78 cents for general city purposes is amply sufficient to meet the expenses of the affairs of the city if they are honestly and economically administered.

JAMES D. MORIARITY,
JAMES E. BERRY,
Minority Committee on Finance.

The Clerk proceeded to read the minority report, whereupon Mr. Crall moved that the reading of same be dispensed with.

Mr. Berry moved to lay Mr. Crall's motion on the table.

Which motion was lost.

Whereupon Mr. Crall withdrew his motion, and the Clerk read the minority report in full.

Mr. Moriarity moved that the minority report be substituted for the majority report.

Mr. Wynne moved to lay Mr. Moriarity's motion on the table.

Which motion prevailed by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warveg and Wolsiffer.

Thereupon the majority report, upon motion of Mr. Wynne, was concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 24, 1902: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the city of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1903, and ending December 31, 1903, including all outstanding claims and obligations which become due and payable within said period, and fixing a time when same shall take effect.

Made the following report:

Indianapolis, September 24, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom has been referred App. O. No. 24, 1902, beg leave to report that they have had same under consideration and recommend the following changes:

For the Department of Finance we recommend:

The reduction from \$2,200 to \$1,800, in item 2, "Books, Stationery and Supplies."

The reduction from \$3,300 to \$3,000, in item 11, "Miscellaneous Expense City Officers."

For the Department of Public Works we recommend:

The reduction from \$27,000 to \$22,500, in item 10, "City Civil Engineer Salaries."

The reduction from \$135,000 to \$125,000, in item 13, "Electric, Gas and Vapor Lights."

The reduction from \$80,000 to \$75,000, in item 22, "Sweeping and Cleaning Improved Streets."

The reduction from \$5,000 to \$3,000, in item 34, "Cleaning Pogue's Run."

For the Department of Public Health and Charities we recommend:

The reduction from \$1,000 to \$400, in item 2, "Cutting Weeds," Health Office Accounts.

For the Department of Public Parks we recommend:

The reduction from \$35,000 to \$33,500, in item 2, "Improvement of Public Parks." The reduction so specified to be taken from the Improvement Fund of Riverside Park.

And when so amended we recommend that same do pass.

T. A. WYNNE,
W. A. RHODES,
J. H. CRALL,
FRED. W. EPPERT,
B. F. WYSONG.

Which was read and, upon motion of Mr. Wynne, concurred in.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 68, 1902: An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the City of Indianapolis, for the year 1903, and fixing the time when the same shall take effect.

Mr. Wynne moved that the amendment to G. O. No. 68, 1902, as recommended by the Committee on Finance, be adopted.

Which motion prevailed.

On motion of Mr. Wynne, G. O. No. 68, 1902, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 24, 1902: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1903, and ending December 31, 1903, including all outstanding claims and obligations which become due and payable within said period, and fixing a time when same shall take effect.

Mr. Wynne moved that the amendments to App. O. No. 24, 1902, as recommended by the Committee on Finance, be adopted.

Which motion prevailed.

On motion of Mr. Wynne, App. O. No. 24, 1902, was then ordered engrossed as amended, read a third time and passed by the following vote:

Ayes, 12, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong. and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Rhodes, the Common Council, at 8:35 o'clock p. m., adjourned.

A. M. Haldeman
President.

ATTEST:

Charles K. Bennett

City Clerk.

Wm. H. Miller
June 1888

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, October 6, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 6, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 16 members, viz.: Messrs. Berry, Billingsley, Cooper, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wolsiffer and Wynne.

Absent, 4, viz.: Messrs. Crall, Holliday, Wheeler and Wysong.

The Clerk proceeded to read the Journal, whereupon Councilman Billingsley moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

Indianapolis, September 20, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 23, 1902: "Appropriating \$1,000 for the Department of Finance on account of the inspection of scales, weights and measures."

G. O. No. 66, 1902: "Authorizing the transfer of the sum of \$2,050 from Fire Force Pay Roll fund to other funds."

Very truly yours,

CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
City of Indianapolis.

Indianapolis, October 2, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 24, 1902: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the city of Indianapolis, for the fiscal year beginning January 1st, 1903, and ending December 31, 1903."

G. O. No. 68, 1902: "An ordinance ordering and directing the levy of an annual tax, and fixing the rate of levy and taxation for the city of Indianapolis, for the year 1903."

Very truly yours,
CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
City of Indianapolis.

Indianapolis, October 6, 1902.

To the President and Members of the Common Council:

Gentlemen — I return herewith, without my approval, G. O. No. 43, 1902, being "An ordinance grading certain members of the fire force and fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of the force; repealing conflicting ordinances, and fixing the time when and conditions under which this ordinance shall take effect."

I am constrained, for reasons hereafter given, to disapprove this ordinance, even though I recognize the fact that the members of the fire department should be graded in accordance with the length of time of service rendered the city, and that in almost every instance the amount of compensation heretofore fixed is inadequate when the hours demanded of such employes are taken into consideration.

The city of Indianapolis is at present in such physical condition that I have found it necessary to recommend to your honorable body, which recommendation you have approved and endorsed in part, a material increase in the rate of taxation, by which increase barely sufficient money will be secured from the taxpayers to meet the absolutely necessary operating expenses of the city government and make the necessary improvements and repairs to city property. I take it that it would be an unjustifiable act to lay upon the people the burden of this increased tax levy, rendered necessary by the city's financial condition, and at the same time add a further burden to the taxpayers by increasing the salaries of city employes, even though such employes are, in my judgment, underpaid.

In the recommendation made to your honorable body of a tax levy of eighty-six cents for city purposes an effort was made to reduce the amount asked for to a basis of the absolute requirements of each department. In order, as I take it, to provide a method by which the necessary funds could be raised to provide for the increase of salaries called for in this ordinance, your honorable body made certain reductions in the items granted to the various departments, but in fixing the tax levy made a corresponding reduction in the rate, and by the adoption of such rate rendered it impossible for the necessary funds to be secured with which to pay these increased salaries, had I felt inclined or willing to approve this ordinance.

When the subject of regrading the employes of the fire department and establishing an increased scale of wages was first presented to me, I

agreed on the proposition that the members of the fire department were not properly paid, and expressed a willingness for a readjustment of salaries at the earliest possible moment; but for the reasons above given I feel that it would not be wise business policy to attempt such readjustment of salaries at this time, especially when we take into consideration the fact that, during the ensuing fiscal year at least, every dollar derived from taxation and other sources will be required to place city property in that condition which the people have the right to expect it at all times to be maintained.

I have the honor to remain,

Yours very truly,

CHARLES A. BOOKWALTER,

Mayor.

Which were read and ordered spread on the minutes.

MISCELLANEOUS BUSINESS.

Mr. Negley moved for a reconsideration of the vote by which the following entitled ordinance failed to pass: "G. O. No. 67, 1902: An ordinance approving a certain contract granting The Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the city of Indianapolis."

Which motion failed of adoption, for want of a constitutional majority, by the following vote:

Ayes, 9, viz.: Messrs. Billingsley, Cooper, Eppert, McFarland, Negley, Rhodes, Wahl, Wynne, and President Haldeman.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Sourbier, Warweg and Wolsiffer.

On motion of Mr. Cooper, the Common Council, at 8:10 o'clock p. m., adjourned.

A. M. Haldeman
President.

ATTEST:

Charles A. Elliott

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, October 20, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 20, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Messrs. Holliday and Meyer.

The Clerk proceeded to read the Journal, whereupon Councilman McFarland moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.

Indianapolis, October 20, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit to you herewith a contract entered into this day by and between Harry M. Pitsenberger and Edward Ormes and the city of Indianapolis, by its Board of Public Works, granting permission for the construction and maintenance of a sidetrack or switch across Warman avenue and the first alley south of the C., C., C. & St. L. Ry. Co.'s right of way, for your consideration and action.

Respectfully submitted,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. Cooper, on behalf of the Committee on Railroads, to which was referred G. O. No. 69, 1902: An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, in the city of Indianapolis, Indiana.

Made the following report:

Indianapolis, October 20, 1902.

To the President and Members of the Common Council:

Gentlemen—Your committee, to whom was referred G. O. No. 69, 1902, recommend that same do pass.

LEW W. COOPER.
T. A. WYNNE.
J. H. BILLINGSLEY.
JOHN WOLSIFFER.

Which was read and, upon motion of Mr. Cooper, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

G. O. No. 72, 1902: An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain a switch or sidetrack across Warman avenue and the first alley south of the C., C., C. & St. L. Ry. Co.'s right of way, in the city of Indianapolis.

WHEREAS, Heretofore, to wit, on the 5th day of October, 1902, Harry M. Pitsenberger and Edward Orme filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

The undersigned, Harry M. Pitsenberger and Edward Orme, owners of certain real estate on Warman avenue, in the city of Indianapolis, Indiana, petition your honorable Board, asking for permission to construct and maintain one sidetrack across Warman avenue and the first alley south of the C., C., C. & St. L. Ry. Co.'s tracks for the purpose of entering the ground of said Edward Orme and Harry M. Pitsenberger, as follows:

The following described line of a railroad switch, beginning at a point in the west line of Warman avenue, said point being six (6) feet south of the south line of the first alley south of the C., C., C. & St. L.

Ry. Co.'s right of way. Thence with a curve line in a northeastern direction to a point in the west line of Warman avenue, said point being six (6) feet north of the south line of the first alley south of the C., C., C. & St. L. Ry. Co.'s right of way; also

Beginning at a point in the east line of Warman avenue, said point being six (6) feet north of the south line of the first alley south of the C., C., C. & St. L. Ry. Co.'s right of way; thence with a curve in a northeastern direction to a point in the north line of the first alley south of the Big Four Ry. Co.'s right of way, said point being seventy-six (76) feet east of the east line of Warman avenue.

Your petitioners pray the privileges and authorities herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully,

HARRY M. PITSENBURGER,
EDWARD ORME.

Now, Therefore, This agreement, made and entered into this 20th day of October, 1902, by and between Harry M. Pitsenberger and Edward Orme, of the city of Indianapolis, county of Marion, State of Indiana, parties of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part,

WITNESSETH: That the parties of the first part, being desirous of securing a right of way for a switch or sidetrack across Warman avenue and the first alley south of the Big Four Ry. Co.'s right of way, in the city of Indianapolis, which is more specifically described in the petition of the said parties hereto attached and made a part of this contract, hereby covenants and agrees and fully binds themselves, their successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authorities herein given, they will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereinafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch is or may be connected.

(3) The crossings where said sidetrack or switch intersects Warman avenue and the first alley south of the C., C., C. & St. L. Ry. Co.'s right of way shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said parties of the first part agree, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done; and the parties of the first part hereby release all claim for damages whatsoever that may arise by reason of such removal; and in the removing of said sidetrack or switch or in causing the same to be done, said Board shall in nowise become a trespasser.

(5) The parties of the first part agree to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack shall become out of repair or in need of being reconstructed or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said parties of the first part to promptly repair or remove the same, failing in which, after notification, in writing of ten (10) days, said Board shall do or cause to be done, at the expense of said parties of the first part, and for which expense and cost the said parties of the first part shall be liable.

(6) The said parties of the first part hereby bind themselves to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against them or said city.

(7) Any violation of any provision of this instrument by said parties of the first part, or by any one for them, or at their instance or with their permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United State census, last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said parties of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Warman avenue and the first alley south of the C., C. & St. L. Ry. Co.'s right of way, in the city of Indianapolis as follows:

The following described line of a railroad switch, beginning at a point in the west line of Warman avenue, said point being six (6) feet south of the south line of the first alley south of the C., C. & St. L. Ry. Co.'s right of way. Thence with a curve line in a north-eastern direction to a point in the west line of Warman avenue, said point being six (6) feet north of the south line of the first alley south of the C., C. & St. L. Ry. Co.'s right of way; also,

Beginning at a point in the east line of Warman avenue, said point being six (6) feet north of the south line of the first alley south of the C., C. & St. L. Ry. Co.'s right of way; thence with a curve in a north-eastern direction to a point in the north line of the first alley south of the Big Four Ry. Co.'s right of way, said point being seventy-six (76) feet east of the east line of Warman avenue.

In Witness Whereof, we have hereunto set our hands this 20th day of October, 1902.

HARRY M. PITSENBERGER,
EDWARD ORME,

Parties of the first part.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Party of the second part.

AND WHEREAS, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Wahl:

G. O. No. 73, 1902: An ordinance changing the name of Ruth street, from Vermont street to Jackson street, and from the right of way of C., C., C. & St. L. R. R. Co. to a point one hundred and seventy-five (175) feet south of Victoria street, in the city of Indianapolis, State of Indiana, to Holmes avenue.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, State of Indiana, That the name of Ruth street shall be changed, from Vermont street to Jackson street and from the C., C., C. & St. L. R. R. Co.'s right of way to a point one hundred and seventy-five (175) feet south of Victoria street, in the city of Indianapolis, State of Indiana, to Holmes avenue, so that said street between said points shall hereafter be known and designated as Holmes avenue.

Sec. 2. This ordinance shall be in force and effect after its publication once each week for two consecutive weeks in the Daily Reporter, a newspaper having general circulation in said city of Indianapolis.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Wynne:

G. O. No. 74, 1902: An ordinance to regulate the sale of milk and cream, prescribing the per centum of butter fat and other solids said articles shall contain, providing a penalty for violation of any of its provisions, and repealing all ordinances in conflict therewith.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the word "milk" as used in this ordinance is hereby declared to mean cow's milk, containing not less than three and six-tenths per centum of butter fat and eight and four-tenths per centum of solids not fat: Provided, That where the amount of butter fat in any such milk exceeds three and six-tenths per centum, the solids not fat may be proportionately less, but in no case shall the word "milk," as used in this ordinance, be held to include cow's milk containing less than twelve per centum of solids, of which twelve per centum the solids not fat shall be two-thirds or eight per centum of any such milk.

The words "skimmed milk," as used in this ordinance, are hereby declared to mean cow's milk containing not more than ninety-one per centum of water, not less than nine per centum of solids not fat, and less than three and six-tenths per centum of butter fat.

The word "cream," as used in this ordinance, is hereby declared to mean the richer part of cow's milk, containing not less than sixteen per

centum of butter fat and not less than six per centum of solids not fat.

Sec. 2. It shall be unlawful for any person, firm or corporation to sell or offer to sell, in the city of Indianapolis, any article or substance as milk unless the same shall comply with the standard prescribed for "milk" in section 1 of this ordinance.

Sec. 3. It shall be unlawful for any person, firm or corporation to sell, offer to sell, or have in his or its possession with intent to sell, in the city of Indianapolis, any skimmed milk, as defined in section one of this ordinance, unless the receptacle containing such skimmed milk shall be plainly labeled or marked "skimmed milk" in letters not less than one (1) inch in height, and in case such skimmed milk is delivered in a receptacle belonging to the seller, then such receptacle shall be plainly marked with the words "skimmed milk" in letters not less than one (1) inch in height: Provided, That in hotels, restaurants, eating houses or other places where any such skimmed milk is sold or served as a beverage, the glasses or other dish in which such skimmed milk is served need not be so marked; but it shall be the duty of the owner, keeper, or person in charge of any such hotel, restaurant, eating house or other place where any such skimmed milk is sold or served as a beverage, to keep conspicuously displayed in the room where such skimmed milk is sold or served, one or more signs with the words "SKIMMED MILK IS SERVED HERE," in letters not less than four (4) inches in height.

Sec. 4. It shall be unlawful for any person, firm or corporation to sell, offer to sell, or have in his or its possession with intent to sell, in the city of Indianapolis, any substance as cream unless the same has been taken from cow's milk and contains not less than sixteen per centum of butter fat and not less than six per centum of solids not fat.

Sec. 5. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred (\$100) dollars nor less than ten (\$10) dollars, to which may be added imprisonment for a period not exceeding thirty days.

Sec. 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 7. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two consecutive weeks in the a daily newspaper, printed and published in the city of Indianapolis.

Which was read a first time and referred to Committee on Public Health.

On motion of Mr. McFarland, Council returned to the order of

REPORTS, ETC., FROM STANDING COMMITTEES.

Mr. McFarland, Chairman of Committee on Public Health, to which was referred G. O. No. 29, 1902: An ordinance to ascertain and fix the price at which natural gas shall be supplied to the inhabitants of the city of Indianapolis.

Stated that the committee had no report for Council on G. O. No. 29, 1902, and requested that the ordinance be referred to another committee.

Mr. Crall moved that the Committee on Public Health be granted until the second regular meeting in November, 1902, to report on G. O. No. 29, 1902.

Which motion prevailed.

ORDINANCES ON SECOND READING.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

General Ordinance, No. 69, 1902: An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across Kentucky avenue and Howard street, or Howard street extended if it is not in law a street now, in the City of Indianapolis, Indiana.

On motion of Mr. Cooper, G. O. No. 69, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Haldeman.

Noes: None.

On motion of Mr. Cooper, the Common Council, at 8:25 o'clock p. m., adjourned.


President.

ATTEST:



City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, November 3, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 3, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council, and 9 members, viz.: Messrs. Berry, Billingsley, Eppert, Holliday, McFarland, Shea, Warweg, Wheeler and Wysong.

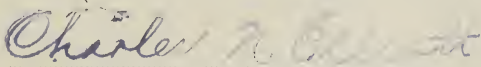
Absent, 11, viz.: Messrs. Cooper, Crall, Kelly, Meyer, Moriarity, Negley, Sourbier, Wahl, Wolsiffer, Wynne and President Haldeman.

There being no quorum present, the Council, on motion of Mr. Billingsley, adjourned.



President Pro Tem.

ATTEST:



City Clerk.

CHAPTER I

The first part of the history of the United States is the history of the discovery and settlement of the continent. The discovery of the continent was made by Christopher Columbus in 1492. The settlement of the continent was made by the English in 1607. The history of the United States is the history of the growth and development of the nation from its discovery to the present day.

The second part of the history of the United States is the history of the growth and development of the nation. This part of the history covers the period from the settlement of the continent to the present day. It includes the history of the American Revolution, the formation of the Constitution, and the growth of the nation into a great power.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, November 17, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 17, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. Harry M. Haldeman, President of the Common Council, and 18 members, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent, 2, viz.: Messrs. Cooper and Wolsiffer.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis,

INDIANAPOLIS, November 15, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 69, 1902: An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across Kentucky avenue and Howard street, or Howard street extended if it is not now a street in law, in the city of Indianapolis, Indiana.

Very truly yours,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, November 3, 1902.

To the President and Members of the Common Council:

Gentlemen—I recommend that an ordinance be passed transferring \$500 from the "Sprinkling Unimproved Street Fund" to "Brightwood Water Works Fund;" and \$1,500 from said sprinkling fund to the "Bridge Gang Pay-roll Fund."

Communications from the Department of Public Works are herewith submitted.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, November 3, 1902.

Geo. T. Breunig, City Comptroller:

Dear Sir—The Board of Public Works respectfully requests that you recommend the transfer of \$1,500 from the fund designated as "Sprinkling Unimproved Streets" to the fund designated as "Bridge Gang Pay-roll."

Respectfully,

HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, November 3, 1902.

Geo. T. Breunig, City Comptroller:

Dear Sir—The Board of Public Works respectfully requests that you recommend the transfer of \$500 from the fund designated as "Sprinkling Unimproved Streets," to the fund designated as "Brightwood Water Works."

Respectfully,

HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, November 3, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit communication from the Department of Public Health and Charities requesting certain transfers.

I recommend the passage of an ordinance transferring \$300 to "Salary Account" of the City Hospital; \$200 from "Incidental Ac-

count," and \$100 from the "Surgical Supply Account." Also, the transfer of \$60 to "Salary Account" of the Health Office from the "Horse Board Account."

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,
Office of the Board,
INDIANAPOLIS, November 1, 1902.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—The Board of Health found it necessary to appoint two additional internes to the City Hospital in order to increase the efficiency of that institution. The salary fund is not sufficiently large to cover this additional expense; therefore the Board asks that three hundred (\$300.00) dollars be transferred to the Salary Fund as follows: Two hundred dollars from the Incidental Fund and one hundred dollars from the Surgical Supply Fund.

The Board also desires to state that the special appropriation for the additional Milk Inspector will be exhausted before the end of the year, and it will be necessary in order to carry on the effective work done in this department, to have sixty (\$60) dollars transferred to the Salary Fund of the Health Office; this could be done from the Horse Board Fund.

We trust that you will take the necessary steps to have these transfers made.

Very truly yours,

EUGENE BUEHLER,
Secretary of Board.

By order of the Board.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,
INDIANAPOLIS, October 3, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith a general ordinance ratifying a contract entered into this day by and between the Indianapolis Light and Power Company and the city of Indianapolis, by and through its Board of Public Works, granting said Indianapolis Light and Power Company permission to construct and maintain one sidetrack or switch on Kentucky avenue, for your consideration and action.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, November 17, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action a General Ordinance ratifying and confirming a contract this day made by and between The National Malleable Castings Company and the city of Indianapolis, by its Board of Public Works, granting said company the right to construct and maintain a switch or sidetrack across Michigan street in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Safety:

DEPARTMENT OF PUBLIC SAFETY,

Office of the Board,

INDIANAPOLIS, October 30, 1902.

To the President and Members of the Common Council:

Gentlemen—The Board of Public Safety desires to call your attention to the great need of an ordinance regulating the speed of automobiles; also some way of numbering same so they could be designated at a glance, as complaints are continually coming to this department concerning same. Therefore we would respectfully request your honorable body to have such an ordinance passed.

We understand that New York city and others have such a law.

Respectfully,

JOHN B. WOOD,

Secretary.

Which was read and referred to Committee on Public Safety and Comfort.

REPORTS FROM STANDING COMMITTEES.

Mr. McFarland, on behalf of the Committee on Public Health, to which was referred G. O. No. 29, 1902: An ordinance to ascertain and fix the price at which natural gas shall be supplied to the inhabitants of the city of Indianapolis.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Public Health, to whom was referred G. O. No. 29, 1902, have had same under consideration and beg to submit the following report:

While an amicable settlement of the natural gas question is to be very much desired, we are of the opinion that it would be unwise to

take action on same at this time, owing to the pending suit of the city with the Indianapolis Gas Company, a decision of which is promised early in December next. In view of the fact that nothing is to be accomplished in the passage or nonpassage of this ordinance at this time, and with the hope that a final settlement of this question may be accomplished which will meet with the approval of the people of our city, we would ask that this committee be granted time until the above mentioned suit is settled by the court.

J. L. McFARLAND,
JNO. H. CRALL,
C. H. WARWEG.

Which was read and, on motion of Mr. McFarland, the report was adopted.

Mr. Wynne, on behalf of the Committee on Railroads, to which was referred G. O. No. 72, 1902: An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain a switch or sidetrack across Warman avenue and the first alley south of the C., C., C. & St. L. Ry. Co.'s right of way, in the city of Indianapolis.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the City Council:

Gentlemen—Your Committee on Railroads, to whom was referred G. O. No. 72, 1902, beg leave to report that they have had same under consideration, and recommend that same do pass.

T. A. WYNNE,
J. S. HOLLIDAY,
J. H. BILLINGSLEY.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Holliday, on behalf of the Committee on Railroads, to which was referred G. O. No. 65, 1902: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company to station a flagman at the corner of East North street and the railroad tracks of said company, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the City Council:

Gentlemen—We, your Committee on Railroads, have had under consideration G. O. No. 65, 1902, and recommend that same do pass.

LEW W. COOPER,
J. S. HOLLIDAY,
T. A. WYNNE,

Which was read and, upon motion of Mr. Holliday, concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 62, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Crown Hill Cemetery, a corporation, whereby said Crown Hill Cemetery agrees to pay, or reimburse the City of Indianapolis, that proportion of the construction of the sewer in Northwestern avenue and Twenty-fourth street from Fall Creek to Thirty-second street, which the city would be compelled to pay in the absence of such agreement, by reason of the law prohibiting the assessment of any lands within the limits of said cemetery for such purpose, which proportion is forty-four (44) per cent. of seventy-six (76) per cent. of the total cost of the construction of said sewer; and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the City Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, have have had under consideration G. O. No. 62, 1902, and recommend that same do pass.

J. S. HOLLIDAY,
W. A. RHODES,
T. A. WYNNE,
ANDREW H. WAHL.

Which was read and, upon motion of Mr. Holliday, concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 64, 1902: An ordinance changing the name of Peru avenue to Davidson street.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the City Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, have had under consideration G. O. No. 64, 1902, and recommend that same do pass.

J. S. HOLLIDAY,
W. A. RHODES,
T. A. WYNNE,
ANDREW H. WAHL.

Which was read and, upon motion of Mr. Holliday, concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 70, 1902: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington street, from the west property line of Alabama street to the Union Railway Company's tracks, by resurfacing with asphalt, in accordance with Improvement Resolution No. 238, 1902, as adopted by the Board of Public Works, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the City Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, have had under consideration G. O. No. 70, 1902, and recommend that same do not pass.

J. S. HOLLIDAY,
W. A. RHODES,
ANDREW H. WAHL,
FRED W. EPPERT.

Which was read and, upon motion of Mr. Berry, concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 71, 1902: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Virginia avenue from the north property line of the first alley north of Stevens street to the south property line of the first alley south of Prospect street, by resurfacing the roadway with asphalt and brick gutters in accordance with Improvement Resolution No. 212, 1902, adopted by the Board of Public Works, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the City Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, have had under consideration G. O. No. 71, 1902, and recommend that same do not pass.

J. S. HOLLIDAY,
ANDREW H. WAHL,
FRED W. EPPERT.

Which was read and, upon motion of Mr. Berry, concurred in.

Mr. Holliday, on behalf of the Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 73, 1902: An ordinance changing the name of Ruth street, from Vermont street to Jackson street, and from the right of way of C., C., C. & St.

L. R. R. Co. to a point one hundred and seventy-five (175) feet south of Victoria street, in the city of Indianapolis, State of Indiana, to Holmes avenue.

Made the following report:

INDIANAPOLIS, November 17, 1902.

To the President and Members of the City Council:

Gentlemen—We, your Committee on Sewers, Streets and Alleys, have had under consideration G. O. No. 73, 1902, and recommend that same do pass.

J. S. HOLLIDAY,
W. A. RHODES,
T. A. WYNNE,
ANDREW H. WAHL.

Which was read and, upon motion of Mr. Holliday, concurred in.

Mr. Wolsiffer, absent at roll-call, arrived.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

G. O. No. 75, 1902: An ordinance approving a certain contract granting the Indianapolis Light and Power Company the right to lay and maintain a switch or sidetrack on Kentucky avenue, in the city of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: On the 28th day of October, 1902, the Indianapolis Light and Power Company filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, October 28, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Indianapolis Light and Power Company, respectfully petition for permission to construct and maintain a railroad switch or sidetrack on Kentucky avenue. The exact location of said proposed sidetrack is more specifically described as follows: The proposed center line of railroad switch described as follows: Beginning at a point in the center of the T. H. & I. Railroad Company track, the said point being thirty-three and three-twelfths feet northeast of and measured along the center of the T. H. & I. Railroad Company track from the east line of West street and thirteen feet and ten and one-half inches southeast of the northwest line of Kentucky avenue; thence with a curve line in a northeasterly direction to a point in the northwest line of Kentucky avenue, the said point being eighty-two and two-twelfths feet northeast of and measured along the northwest line of Kentucky avenue from the east line of West street. All as shown by the drawing herewith submitted attached hereto, filed herewith, and for greater certainty marked "Exhibit."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

INDIANAPOLIS LIGHT AND POWER CO.,

By D. W. MARMON, President.

Attest: C. C. PERRY,
Secretary.

NOW, THEREFORE, This agreement, made and entered into this 3d day of November, 1902, by and between the Indianapolis Light and Power Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

WITNESSETH: That the party of the first part being desirous of securing a right of way for a switch or sidetrack on Kentucky avenue in the city of Indianapolis, which is more specifically described in the petition of the said first party, hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privilege and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to-wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects Kentucky avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, on Kentucky avenue, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall

do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claim for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack on Kentucky avenue in the city of Indianapolis as follows: "The following described center line begins at a point in the center of the T. H. & I. Railroad Company track, the said point being thirty-three and three-twelfths feet northeast of and measured along the center of the T. H. & I. Railroad Company track from the east line of West street and thirteen feet and ten and one-half inches southeast of the northwest line of Kentucky avenue; thence with a curve line in a northeasterly direction to a point in the northwest line of Kentucky avenue, the said point being eighty-two and two-twelfths feet northeast of and measured along the northwest line of Kentucky avenue from the east line of West street. All as shown by drawing attached hereto, filed herewith and for greater certainty marked "Exhibit."

IN WITNESS WHEREOF, We have hereunto set our hands this 3d day of November, 1902.

INDIANAPOLIS LIGHT AND POWER CO.,
By D. W. MARMON, President.

[Seal]

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works,
Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 76, 1902: An ordinance approving a certain contract granting The National Malleable Castings Company the right to lay and maintain a switch or sidetrack across Michigan street in the city of Indianapolis, Indiana.

WHEREAS, heretofore, to wit: On the 29th day of August, 1902, The National Malleable Castings Company filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, August 29, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, The National Malleable Castings Company, respectfully petition your honorable Board, asking permission to construct and maintain one switch or sidetrack across Michigan street, more particularly described as follows: The center line of said proposed switch to begin at a point in the south line of Michigan street, the said point being twenty-seven (27) feet west of the west line of Holmes avenue; thence in a curve line with a radius of 218.10 feet in a northwesterly direction to a point in the north line of Michigan street, said point being sixty-nine (69) feet, four and one-quarter ($4\frac{1}{4}$) inches west of the west line of Holmes avenue. All as shown by drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

THE NATIONAL MALLEABLE CASTINGS CO.,

A. A. POPE, President.

NOW, THEREFORE, This agreement, made and entered into this 17th day of November, 1902, by and between The National Malleable Castings Company, of the city of Cleveland, county of Cuyahoga, State of Ohio, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part,

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across Michigan street, in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack

or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossings where said sidetrack or switch intersects Michigan street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch, or in causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack shall become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claim for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1901, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Michigan street in the city of Indianapolis, as follows:

The following described center line of a sidetrack or switch across Michigan street described as follows: Beginning at a point in the south line of Michigan street, the said point being twenty-seven (27) feet west of the west line of Holmes avenue; thence in a curve line with a radius of 218.10 feet in a northwesterly direction to a point in the north line of Michigan street, the said point being sixty-nine (69) feet and four and one-quarter ($4\frac{1}{4}$) inches west of the west line of Holmes avenue. All as shown on attached blue-print marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 17th day of November, 1902.

THE NATIONAL MALLEABLE CASTINGS CO.,

A. A. POPE, President,
Party of the First Part.

Attest: O. K. BROOKS,
Secretary.

[Seal]

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works,
Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Wynne:

G. O. No. 77, 1902: An ordinance transferring the sum of two thousand dollars from certain fund to certain funds for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That the City Comptroller be and he is hereby authorized and directed to transfer the sum of two thousand dollars from appropriation heretofore made, as follows, viz.:

Five hundred dollars (\$500.00) from the "Sprinkling Unimproved Streets" account or fund to the "Brightwood Water Works" account.

Fifteen hundred dollars (\$1,500.00) from said "Sprinkling Unimproved Streets" account to the "Bridge Gang Pay-roll" account. Said sums so transferred are for the use of the Department of Public Works.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

G. O. No. 78, 1902: An ordinance transferring the sum of three hundred and sixty dollars from certain funds to certain funds for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That the City Comptroller be and he is hereby directed to transfer from certain funds heretofore appropriated for the

use of the Department of Public Health and Charities to certain funds, the following sums, viz.: To the "Salary Fund" of the City Hospital the sum of three hundred (\$300.00) dollars—two hundred (\$200.00) dollars from the "Incidental Fund," and one hundred (\$100.00) dollars from the "Surgical Supply Fund." To the "Salary Fund" of the health office the sum of sixty (\$60.00) dollars from the "Horse Board Fund."

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Sourbier:

G. O. No. 79, 1902: An ordinance providing for the change of the name of Walter street to Hansen avenue, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That the name of Walter street, which street lies between Owosso avenue and New York street, be changed to Hansen avenue, so that the street running from the junction of Michigan street and Hansen avenue to the junction of Walter street and Owosso avenue shall hereafter be known and designated as Hansen avenue.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

By Mr. Eppert:

Special Ordinance No. 2, 1902: An ordinance annexing certain territory to the city of Indianapolis, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That the boundary lines of the city of Indianapolis be, and the same are hereby extended, so as to include the following described contiguous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the city of Indianapolis, in Marion county and State of Indiana, to wit:

Beginning on the east side of Northwestern avenue at the west line of the Crown Hill cemetery property, at a point opposite the extension of the south line of the first alley north of Thirty-second street, running west along the south line of the first alley north of and parallel to Thirty-second street to the east line of Clifton street; south along the east line of Clifton street, to its intersection with the south line of Thirty-second street; west along the south line of Thirty-second street to the east line of the Central Canal; thence in a northerly direction following the east line of the Central Canal, to a point one hundred and seventy-two (172) feet north of the north line of Thirty-sixth street; thence east on a line one hundred and seventy-two (172) feet north of and parallel to the north line of Thirty-sixth street, to the east side of Northwestern avenue; thence south along the east side of Northwestern avenue to the point of beginning.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Daily

Reporter, a daily newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Ordinances.

MISCELLANEOUS BUSINESS.

President Haldeman called Vice-President Rhodes to the chair.

Mr. Haldeman, Councilman-at-Large, handed in the following:

INDIANAPOLIS, November 17, 1902.

To the Members of the Common Council of the City of Indianapolis:

Gentlemen—I herewith respectfully tender to you my resignation as a member of your honorable body, on account of my removal to the city of Chicago, and I embrace this opportunity to express my sincere thanks to the members of the Council for their kind and courteous treatment.

Very respectfully submitted,

H. M. HALDEMAN.

On motion of Mr. Crall the resignation was accepted.

Mr. Crall moved that Council extend a vote of thanks to Mr. Haldeman for the fairness and impartiality with which he conducted the affairs of the Common Council as President of same.

Mr. Berry moved as an amendment to Mr. Crall's motion that a committee of three be appointed for the purpose of drafting resolutions of thanks.

Mr. Crall accepted the amendment and the motion, as amended, prevailed.

President pro tem. Rhodes appointed the following named members to constitute said committee: Messrs. Crall, Berry and Holliday.

The following communication was read:

LEAGUE OF AMERICAN MUNICIPALITIES.

DES MOINES, IOWA, October 20, 1902.

To the Honorable City Clerk, Indianapolis, Ind.:

Dear Sir—We have just instructed our publisher to send to you, prepaid, a number of copies of the proceedings of the Sixth Annual Convention of the League of American Municipalities, recently held at Grand Rapids, Mich. We have aimed to send you a sufficient number to enable you to furnish a copy to each of your officials and members of the Council. Should you need additional copies, we will be pleased to forward them upon request.

I am pleased to state that the Grand Rapids convention was probably the most successful in the history of the association. The report of the secretary showed that the floating debt of the League, which had existed for several years, had been entirely wiped out, and that a small balance remained in the hands of the treasurer. This report

also showed that the secretary had furnished, through the Bureau of Information, a larger amount of information than ever before. We are now endeavoring to acquire an extensive library of valuable information relative to municipal affairs, to facilitate the work of this department. To this end, I request that you send us copies of the recent reports of the various departments of your city government, and that you enter the secretary's name on your permanent mailing list.

The expense of maintaining this office is paid entirely from the dues received from the members of the League. In this connection, permit me to call your attention to the condition of the account of your city with the League, a statement of which is here enclosed. The statement shows that your city is in arrears for dues for several years. Realizing that the claims of the League may have been allowed to remain unprovided for because of change in the administration, or otherwise, it is deemed best to offer as a settlement of the account, that all delinquencies previous to the present year will be remitted upon the payment of this year's dues, and the city placed in good standing on the books of the League.

Should any embarrassment arise in providing funds to meet the annual dues, the suggestion is offered that in providing for such expense, it be by an appropriation for securing information for the benefit of the various departments of the city. This is always a legitimate expenditure, and I have no hesitancy in assuring our members that this office will be prompt in answering any inquiries that may be received, and if the information can not be had from the files in this office, the same will be obtained by correspondence.

Yours very truly,

JOHN MACVICAR,
Secretary.

On motion of Mr. Billingsley the communication was laid on the table.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 72, 1902: An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain a switch or sidetrack across Warman avenue and the first alley south of the C., C. & St. L. Ry. Co.'s right of way, in the city of Indianapolis.

On motion of Mr. Wynne, G. O. No. 72, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes 18, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Shea, Sourbier Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes 1, viz.: Mr. Moriarity.

On motion of Mr. Warweg, the following entitled ordinance was taken up and read a second time:

G. O. No. 64, 1902: An ordinance changing the name of Peru avenue to Davidson street.

On motion of Mr. Holliday, G. O. No. 64, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes 19, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes: None.

On motion of Mr. Warweg, the following entitled ordinance was taken up and read a second time:

G. O. No. 65, 1902: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company to station a flagman at the corner of East North street and the railroad tracks of said company, fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

On motion of Mr. Holliday, G. O. No. 65, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes 19, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes: None.

On motion of Mr. Holliday, the following entitled ordinance was taken up and read a second time:

G. O. No. 73, 1902: An ordinance changing the name of Ruth street, from Vermont street to Jackson street, and from the right of way of C., C., C. & St. L. R. R. Co. to a point one hundred and seventy-five (175) feet south of Victoria street, in the city of Indianapolis, State of Indiana, to Holmes avenue.

On motion of Mr. Holliday, G. O. No. 73, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes 18, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wysong, and Vice-President Rhodes.

Noes: None.

Mr. Berry moved that the following entitled ordinance be stricken from the files:

General Ordinance No. 71, 1902: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Virginia avenue from the north property line of the first alley north of Stevens street to the south property line of the first alley south of Prospect street, by resurfacing the roadway with

asphalt and brick gutters in accordance with Improvement Resolution No. 212, 1902, adopted by the Board of Public Works, and fixing the time when the same shall take effect.

Which motion prevailed.

Mr. Moriarity moved that the following entitled ordinance be stricken from the files:

General Ordinance No. 70, 1902: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Washington street, from the west property line of Alabama street to the Union Railway Company's tracks, by resurfacing with asphalt, in accordance with Improvement Resolution No. 238, 1902, as adopted by the Board of Public Works, and fixing a time when the same shall take effect.

Which motion prevailed.

On motion of Mr. Holliday, the following entitled ordinance was taken up and read a second time:

G. O. No. 62, 1902: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 11th day of August, 1902, between the City of Indianapolis, by and through its Board of Public Works, and Crown Hill Cemetery, a corporation, whereby said Crown Hill Cemetery agrees to pay, or reimburse the City of Indianapolis, that proportion of the construction of the sewer in Northwestern avenue and Twenty-fourth street from Fall Creek to Thirty-second street, which the city would be compelled to pay in the absence of such agreement, by reason of the law prohibiting the assessment of any lands within the limits of said cemetery for such purpose, which proportion is forty-four (44) per cent. of seventy-six (76) per cent. of the total cost of the construction of said sewer; and fixing a time when the same shall take effect.

On motion of Mr. Holliday, G. O. No. 62, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes 19, viz.: Messrs. Berry, Billingsley, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes: None.

On motion of Mr. Holliday, the Common Council, at 8:55 o'clock p. m., adjourned.

Mark Rhodes

President.

ATTEST:

Charles H. Elliott

City Clerk.



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REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, December 1, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 1, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis.
INDIANAPOLIS, November 21, 1902.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 62, 1902: Approving a certain contract made and entered into on the 11th day of August, 1902, between the City of Indianapolis and Crown Hill Cemetery.

G. O. No. 64, 1902: Changing the name of Peru avenue to Davidson street.

G. O. No. 65, 1902: Requiring the Cleveland, Cincinnati, Chicago and St. Louis Ry. Co. to station a flagman at the corner of East North street and the railroad tracks.

G. O. No. 72, 1902: Approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain a

switch across Warman avenue and first alley south of the C., C., C. & St. L. R'y Co.'s right of way.

G. O. No. 73, 1902: Changing name of Ruth street from Vermont street to Jackson street and from the right of way of C., C., C. & St. L. R. R. Co. to a point 175 feet east of Victoria street to Holmes avenue.

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communications from City Comptroller:

OFFICE OF CITY COMPTROLLER,

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith recommend the passage of an ordinance appropriating the sum of \$3,375 with which to pay semi-annual interest on \$190,000 emergency bonds of 1901, due January 1, 1903, and exchange on bonds and interest.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

OFFICE OF CITY COMPTROLLER,

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the City Attorney requesting the transfer of the sum of \$300 from the Judgments, Compromises and Costs Fund to the Office Rent and Expenses Fund.

For the reasons given in said communication I am of the opinion that the request should be granted, and therefore recommend that an ordinance be passed making the transfer as requested.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF LAW,

City of Indianapolis.

INDIANAPOLIS, November 29, 1902.

George T. Breunig, Esq., City Comptroller:

Dear Sir—Since November 1st, 1901, the city has had for the first time its own office for its Law Department, where all its employes devote their entire time to the city's business, entailing some increase of expenses over the appropriation made in the levy of 1901. This whole matter has been presented to you and to the Council and provided for in the levy and appropriation for 1902 for the ensuing year. Under the old appropriation there will be some small balances, and I therefore respectfully request that you recommend the transfer of \$300 from the fund designated as Judgments, Compromises and Costs to the fund designated as Office Rent and Expenses.

Respectfully,

FREDERICK A. JOSS,
City Attorney.

Which were read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Gentlemen—Herewith is returned certified copy of App. O. No. 16, 1902, for your further consideration, with the statement that in consequence of the provision herein contained (quoted below) the Board of Public Works was not able to carry out the purpose of said ordinance:

“Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the Board of Public Works of the City of Indianapolis be, and is hereby authorized to purchase suitable real estate for such purpose, located not less than three-quarters of a mile from the city limits, and to construct thereon a building to be known as the smallpox hospital, and an additional building to be called a detention pavilion, for detaining and treating persons afflicted, or thought to be afflicted, with smallpox or other contagious diseases. All said property to be for the use of the Board of Public Health in protecting the health of the citizens against smallpox and other contagious diseases, and caring for and treating persons afflicted therewith.”

In explanation will say that the Board used its best offices to secure a suitable location for detention pavilion for smallpox and other contagious diseases, but was met on every side by determined opposition, remonstrances and threats of injunction proceedings, the character of which has deterred the Board from purchasing a new site, and prompts this action.

We beg leave to further state that the Board is advised that there is a doubt as to the constitutionality of the ordinance in so far as it relates to location, and if carried out may involve the city in litigation and the probable loss of large sums of money for damages, etc.

Respectfully submitted,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Judiciary.

DEPARTMENT OF PUBLIC WORKS.

Office of the Board,

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a certain contract this day entered into by and between the City of Indianapolis, through its Board of Public Works, and John E. Christian, granting said Christian the right and authority to use the streets and alleys and public places in the City of Indianapolis in the territory bounded by Alabama street on the east, St. Clair street on the south, Delaware street on the west and Pratt street on the

north, for the purpose of generating, distributing and supplying steam heat, by means of pipes and appurtenances underground.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 77, 1902: An ordinance transferring the sum of two thousand dollars from certain funds to certain funds, for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom has been referred G. O. No. 77, 1902, has had same under consideration and begs leave to recommend that same do pass.

T. A. WYNNE.
W. A. RHODES.
B. F. WYSONG.
J. H. CRALL.
FRED. W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 78, 1902: An ordinance transferring the sum of three hundred and sixty dollars from certain funds to certain funds for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Your Committee on Finance, to whom has been referred G. O. No. 78, 1902, has had same under consideration and begs leave to recommend that same do pass.

T. A. WYNNE.
W. A. RHODES.
B. F. WYSONG.
J. H. CRALL.
JAMES D. MORIARTY.
J. E. BERRY.
FRED. W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. McFarland, on behalf of the Committee on Public Health, to which was referred G. O. No. 74, 1902: An ordinance to regulate the sale of milk and cream, prescribing the per centum of butter fat and other solids said articles shall contain, providing a penalty for violation of any of its provisions, and repealing all ordinances in conflict therewith.

Made the following report:

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Public Health, to whom was referred G. O. No. 74, 1902, beg leave to report that we have had said ordinance under consideration and we recommend that same do pass.

J. L. McFARLAND.

J. H. CRALL.

C. H. WARWEG.

Which was read and, upon motion of Mr. McFarland, concurred in.

Mr. Cooper, on behalf of the Committee on Railroads, to which was referred G. O. No. 75, 1902: An ordinance approving a certain contract granting the Indianapolis Light and Power Company the right to lay and maintain a switch or side-track on Kentucky avenue, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, December 1, 1902.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Railroads, to whom G. O. No. 75, 1902, was referred, recommend that same do pass.

LEW W. COOPER.

T. A. WYNNE.

JNO. WOLSIFFER.

J. H. BILLINGSLEY.

Which was read and, upon motion of Mr. Cooper, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

App. O. No. 25, 1902: An ordinance appropriating the sum of \$3,375 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated the sum of three thousand three hundred and seventy-five (\$3,375) dollars, for the use of the Department of Finance, as follows:

For the payment of six months' interest on \$190,000 emergency bonds of 1901, due January 1, 1903, the sum of \$3,325.

For the payment of exchange on maturing city bonds and interest, the sum of \$50.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

G. O. No. 80, 1902: An ordinance transferring the sum of three hundred (\$300) dollars from certain funds to certain funds for the Department of Law, and fixing a time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the City Comptroller be and he hereby is directed to transfer from certain funds heretofore appropriated for the use of the Department of Law to certain funds the following sum, viz., three hundred (\$300) dollars, designated as Judgments, Compromises and Costs, to the fund designated as Office Rent and Expenses.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 81, 1902: An ordinance approving a certain contract, giving John E. Christian, of the city of Indianapolis, permission to use the streets, alleys and public places within the city of Indianapolis in the territory bounded by Alabama street on the east, St. Clair street on the south, Delaware street on the west and Pratt street on the north, for the purpose of generating steam and distributing and supplying steam heat, by the means of pipes and appurtenances underground.

This agreement, made this 28th day of November, 1902, by and between the city of Indianapolis, by and through its Board of Public Works, party of the first part, and John E. Christian, of the city of Indianapolis, Indiana, party of the second part,

WITNESSETH: The said party of the first part hereby grants unto said party of the second part, his heirs and assigns, subject to any laws and ordinances now in force, or hereafter enacted or put in

force as police regulations, authority and permission to use the alleys, streets and public places of and within the city of Indianapolis in the territory bounded by Alabama street on the east, by St. Clair street on the south, Delaware street on the west and Pratt street on the north, during the term of this grant, for the purpose of generating steam and distributing and supplying steam heat by means of pipes and appurtenances underground, which grant is and shall be upon the following terms and conditions:

(1) The station for generating said steam or heat for distribution as aforesaid may be established and maintained by said party of the second part at such suitable point within said territory bounded above as he may deem proper: Provided, However, That all buildings, structures, machinery and appliances shall conform to the fire and building ordinances of said city, and shall be at all times subject to inspection and all reasonable regulations of the Common Council.

(2) Prior to using the streets, alleys and public places within said territory for the distribution of heat as aforesaid, said party of the second part shall prepare and place on file in the office of the Board of Public Works of said city, maps, plans and specifications of such proposed construction, which specifications shall include all excavations and all underground apparatus and appliances of every kind and description, showing the exact location of all pipes, intersections and other necessary apparatus and appliances, the depth below the surface of the streets and alleys and in general where and how such is to be done, and shall conform in all respects to the provisions of this contract, and any ordinance of the Common Council relating to the public safety and health; which maps, plans and specifications shall be approved without unnecessary delay by the said Board of Public Works, and a permit for cutting into the streets, alleys and public places issued to said party of the second part before such work shall be begun. The Board of Public Works shall have the power to designate at what point in the street, alley or public place shown upon such map, plans and specifications the trenches or other appliances used by said party of the second part in the distribution of heat shall be located. In case of a dispute between any property-owner and said second party as to the location of any appliances aforesaid, the decision of the Board of Public Works as to such location shall be final.

(3) Upon filing any such maps, plans and specifications, and their approval, as aforesaid, said party of the second part may make the specified excavations and lay the specified pipes and other appliances, so as to constitute an entire plant, which said party of the second part may hereafter maintain, repair, improve, add to and operate during the life of this grant, subject to its terms and conditions.

(4) It is also agreed that all underground pipes and appliances used in the construction of said plant shall be placed at such a depth that the top of all parts thereof shall be not less than two feet below the surface of the street, alley or public place wherein they are located, and shall be so located and constructed as not to interfere with or disturb existing surface or underground structures, conduits, pipes or other property belonging to other corporations, companies, or persons, or sewers, or sewer connections; nothing contained herein shall preclude the said city from prosecuting or authorizing any future public work of any character; but in the prosecution of any public work or improvement hereafter, the said Board shall have the right, if it deems the same necessary, to require the temporary removal of any pipe or appliance authorized by this contract to be laid, and the same shall be removed, or necessary changes made therein by the said second party, so as to conform according to the terms of this contract, with the surface grade of any unimproved street, alley or public place ordered to be improved on the order and requirement of the said Board, and in

case of a failure on the part of the said second party to comply with any such order or requirement, then the said Board may make such removal or change, and the necessary cost thereof shall be paid by said second party to the City Comptroller, upon proper demand being made therefor.

(5) It is also agreed that all the work of the construction or repair of that part of the second party's plant that is located in any of the streets, alleys or public places of said city shall be under and subject to the supervision of inspectors to be appointed by the said Board of Public Works, the said inspectors to be appointed and to begin the inspection and supervision of said work or repair as soon as the said second party shall have completed the excavations therefor, and all the necessary expense for the employment of all such inspectors shall be paid by the said party of the second part to the City Comptroller upon proper demand. The Board of Public Works of said city shall at all times have the right to inspect, superintend and control the construction of the manholes and other appurtenances which may be constructed as a part of the said plant; and the right is hereby reserved to said Board to order any change made from time to time for city purposes; all such changes to be made by the said second party without expense to the city. In case the said party of the second part shall neglect or refuse to obey any instructions of said Board with respect to any alteration to be made, the said Board is authorized to make the same, and collect the cost thereof from said party of the second part.

(6) The said party of the second part agrees and binds himself that in the construction or repair of said plant he will not at any time open or encumber more of any street, alley or public place than may be necessary to enable him to perform the work of laying pipes and other appurtenances with proper economy and efficiency, and that no opening of or encumbrance to any such streets, alleys or public places shall be permitted to remain or continue for a longer period than may be necessary within the judgment of the Board of Public Works, and that he will properly and effectually guard all such openings and encumbrances with such barriers and lights as will prevent the happening of accidents or injuries by reason thereof. The said party of the second part also agrees and binds himself to hold the city of Indianapolis harmless as against any and all damages done by him to the streets, alleys, avenues and public places within such city in the building and construction of his said plant; that he will restore all streets, alleys, avenues and public places to the same condition after the completion of his work as they were before being cut into or used by him (the said party of the second part); all such streets, alleys, avenues and public places to be repaved with the same material with which they were paved before being disturbed by him, or with such material and in such manner as shall be satisfactory to said Board of Public Works; that he will at all times make any and all repairs which may be necessary to any of the streets, alleys, avenues or public places by reason of the same having been digged into or disturbed in the construction or repair of said plant; that he will not in such construction or repair dig, cut into or remove material from the surface or underneath the surface of any such alley, street, or public place, without first having prepared and filed with the Board of Public Works maps, plans and specifications as herein provided, and obtained the consent of said Board; that he will pay all damages for personal or other injuries that may result from or grow out of any work that may be done by or for him in such construction or repair; that he will indemnify and save said city harmless from any and all liability or expense growing out of or resulting from the construction or repair of any part of his plant; that he will, upon the demand of the City Comptroller of said city, pay any damages which may have accrued to said city and

any and all judgments which may have been obtained and rendered against such city on account and by reason of the construction or repair of such plant, or the occupancy by him of any of the streets, alleys or public places in said city; that if the said city shall become involved in any action or suit on account of any act or omission of said second party in the construction or operation of his said plant, he will, upon notice from said city, or its proper officers, appear and defend such action or suit, without expense to the said city; that he will also protect and save said city of Indianapolis harmless as against any and all suits which may be brought by any person or corporation for the infringement of any patent which may be alleged against such corporation, either in the course of the construction or operation of the said plant or system.

(7) In the equipment of his plant said second party agrees to employ modern and effective appliances for the consumption or suppression of the smoke from his furnace or heating apparatus.

(8) The said second party shall have the right to tap or connect with any sewer in any street, alley or public place occupied by any of the pipes, casings or appliances of the party of the second part, for the purpose of draining such pipes, cases and appliances and the trenches in which they are laid: Provided, plans and specifications showing where and how such tapings or connections should be made have been first filed and approved by the Board of Public Works and a permit issued therefor, all of which work shall be done under the supervision of inspectors appointed by said Board as provided in section five (5) of this contract.

(9) Before beginning the work of construction by the said party of the second part, he shall execute to the party of the first part, to the approval of its Board of Public Works, a good and sufficient bond in the sum of one thousand (\$1,000) dollars, which bond shall be conditioned for the faithful performance by the said second party of each and every stipulation and agreement contained in this contract, and for the carrying out of all the terms and conditions thereof during the entire period and term covered thereby; and that said Board of Public Works shall have the right at any time during said period whenever the surety on said bond shall not be deemed ample and satisfactory, or said bond impaired by money payment thereon, to require such additional surety thereon as it may deem necessary; and if said second party shall, on written demand by such Board, neglect or refuse to furnish such additional surety, then his right under this contract shall cease and the franchise hereby granted be forfeited, such forfeiture to be enforced in any court of competent jurisdiction.

(10) Upon the execution and approval of this contract and the approval of his maps, plans and specifications, the second party agrees, unless prevented by unavoidable delay or accident, that he will, within one hundred and eighty days from and after the approval of his maps, plans and specifications, have such plant substantially completed and ready for operation.

(11) It is agreed that the annual rate which the second party may charge the customers to whom said steam heat is supplied shall not exceed thirty-five (35) cents per square foot of radiating surface in use by any such customer, said charge to be divided according to seasons and time of payment, as may be determined by said second party; the radiation to be ascertained by measuring the surface of the radiators or pipes used by the customers for heating.

(12) It is further agreed, in consideration of the privileges herein granted by the first party, that the second party will pay annually on the first day of November, beginning November 1, 1903, to the party of the first part the sum of one (\$1.00) dollars.

(13) All rights, privileges and concessions herein granted to the said second party are expressly limited to a period of twenty years from the

first day of November, 1902, which limitation of time is hereby declared to be one of the considerations for the grants herein contained.

(14) To each of the terms, conditions, provisions, stipulations and requirements of this contract, the city of Indianapolis, by and through its Board of Public Works, party of the first part herein, and the said John E. Christian, party of the second part herein, do fully agree to and do bind themselves, their successors and assigns.

CITY OF INDIANAPOLIS,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works.

JOHN E. CHRISTIAN.

State of Indiana, County of Marion:

Personally before me, the undersigned, a Notary Public in and for said County and State, appeared John E. Christian, who acknowledged the execution of the foregoing contract.

Witness my hand and notarial seal this 1st day of December, 1902.

[Seal]

HARRY M. FRANKLIN,
Notary Public.

My commission expires May 22, 1904.

AND WHEREAS, Said contract has been submitted by the Board of Public Works to the Common Council for its consideration and action; now, therefore

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That said contract as above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Mr. Sourbier :

G. O. No. 82, 1902: An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it shall be unlawful for any person having charge of any wagon, with or without a draft animal hitched thereto, used for the purpose of bringing merchandise, produce or any other commodity to any of the city markets of the city of Indianapolis, to place, stand or occupy a position with such wagon or animal at such market, in any other position, place or manner than the following:

The back end of such wagon shall be placed next to the curb or the sidewalk or passageway of such market; and every draft animal or all animals hitched thereto shall be immediately detached from such wagon and removed from the precincts of such market, and the shafts or pole of such wagon shall either be detached from the wagon or raised up and securely fastened so as to offer no obstruction to traffic.

Sec. 2. Any person violating any of the provisions of this ordinance shall be fined in any sum not less than one and not more than ten dollars.

Sec. 3. This ordinance shall be in force from and after its passage and publication according to law.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Negley:

G. O. No. 83, 1902: An ordinance to promote public safety by prohibiting persons from getting on or off of street cars and interurban cars in the city of Indianapolis, Indiana, while the same are in motion; providing a penalty for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall be unlawful for any person or persons not employed by street railroad companies or interurban railroad companies to get on or off of any street car or interurban railroad car in said city while the same is in motion, unless such person or persons shall be intending to take passage on such car or be in the act of alighting from such car after having been a bona fide passenger thereon: Provided, however, That this section shall not apply to police officers, who may get on or off of such cars while in the discharge of their regular duties.

Sec. 2. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding ten dollars (\$10.00).

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Daily Reporter, a newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Judiciary.

MISCELLANEOUS BUSINESS.

Mr. Crall, on behalf of the Committee appointed to draft resolutions of thanks to Mr. Haldeman, offered the following:

To the President and Members of the Common Council:

Gentlemen—Your Committee on Resolutions, appointed at last meeting, beg leave to submit the following:
Resolution No. 7, 1902—

WHEREAS, President Haldeman has tendered his resignation as a member of the City Council on account of his removal from the city; and

WHEREAS, Mr. Haldeman, while President of the Council, has at all times been a painstaking and conscientious officer, and has won the esteem of his fellow-members of the Common Council; therefore, be it

RESOLVED, That a vote of thanks be tendered him by the members of this Council for the fair and impartial manner in which he has presided, and for the courtesy shown at all times to his fellow-members.

RESOLVED FURTHER, That a copy of these resolutions be spread on the minutes, and that the Clerk be instructed to forward a copy to Mr. Haldeman.

J. H. CRALL.
J. S. HOLLIDAY.
J. E. BERRY.

Which was read and, upon motion of Mr. Crall, Resolution No. 7, 1902, was adopted by the following vote:

Ayes, 19, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes: None.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 77, 1902: An ordinance transferring the sum of two thousand dollars from certain fund to certain funds for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Wr. Wynne moved that G. O. No. 77, 1902, be ordered engrossed and read a third time.

Which motion prevailed by the following vote:

Ayes, 11, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Sourbier, Wheeler, Wynne, Wysong, and Vice-President Rhodes.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

G. O. No. 77, 1902, was then read a third time, and passed by the following vote:

Ayes, 11, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Sourbier, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 78, 1902: An ordinance transferring the sum of three hundred and sixty dollars from certain funds to certain funds for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 78, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 11, viz.: Messrs. Cooper, Crall, Eppert, McFarland, Negley, Shea, Sourbier, Wheeler, Wynne, Wysong, and Vice-President Rhodes.

Noes, 8, viz.: Messrs. Berry, Billingsley, Kelly, Meyer, Moriarity, Wahl, Warweg and Wolsiffer.

On motion of Mr. Cooper, the following entitled ordinance was taken up and read a second time:

G. O. No. 75, 1902: An ordinance approving a certain contract granting the Indianapolis Light and Power Company the right to lay and maintain a switch or sidetrack on Kentucky avenue, in the city of Indianapolis, Indiana.

On motion of Mr. Cooper, G. O. No. 75, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 14, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Shea, Sourbier, Wahl, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 5, viz.: Messrs. Berry, Kelly, Meyer, Moriarity and Warweg.

On motion of Mr. McFarland, the following entitled ordinance was taken up and read a second time:

G. O. No. 74, 1902: An ordinance to regulate the sale of milk and cream, prescribing the per centum of butter fat and other solids said articles shall contain, providing a penalty for violation of any of its provisions, and repealing all ordinances in conflict therewith.

Mr. McFarland offered the following amendment to G. O. No. 74, 1902:

Mr. President—I move that the words "Daily Reporter" be inserted in line 3, of section 7, of G. O. No. 74, 1902.

JOHN L. McFARLAND.

Which amendment was read and adopted.

On motion of Mr. McFarland, G. O. No. 74, 1902, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes, 2, viz.: Messrs. Berry and Kelly.

On motion of Mr. Sourbier, the Common Council, at 8:40 o'clock p. m., adjourned.

W. A. Rhodes

President pro tem.

ATTEST:

Charles H. Elliott

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

THURSDAY, December 11, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday evening, December 11, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

Indianapolis, November 25, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under section 12 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 o'clock p. m., on Thursday, December 11, 1902, in the Council Chamber of said city for the purpose of filling the vacant office for the unexpired term of Councilman-at-Large, caused by the resignation of Harry M. Haldeman at the last general meeting of the Common Council, November 17, 1902.

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 18 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Holliday.

REPORTS, ETC., FROM CITY OFFICERS.

COMMUNICATION FROM CITY CLERK.

OFFICE OF CITY CLERK,

Indianapolis, November 29, 1902.

To the President and Members of the Common Council:

Gentlemen—As required by law, I notified the members of the Common Council, November 29, 1902, that there would be a special meeting of the Common Council on the 11th day of December, 1902, at 7:30 o'clock p. m., for the purpose of electing a Councilman-at-Large to fill the vacancy occasioned by the resignation of Harry M. Haldeman. The law requires that

the City Clerk notify the members of said Council of such meeting ten days before an election for a Councilman-at-Large to fill a vacancy in the Common Council. The law also requires the City Clerk to have a notice of the same published in a daily newspaper of general circulation five days before said meeting, a copy of which I herewith submit.

CHARLES N. ELLIOTT,

City Clerk.

LEGAL NOTICE FROM THE DAILY REPORTER.

NOTICE OF ELECTION OF A COUNCILMAN-AT-LARGE.

The State of Indiana, Marion County, City of Indianapolis, ss:

I, Charles N. Elliott, Clerk of the city of Indianapolis, hereby certify that there will be a special meeting of the Common Council of the city of Indianapolis, on Thursday, December 11, 1902, at 7:30 o'clock p. m., for the purpose of filling the vacant office for the unexpired term of Councilman-at-Large occasioned by the resignation of Harry M. Haldeman at the last general meeting of the Common Council, Nov. 17, 1902. Election to be held subject to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

Indianapolis, Nov. 25, 1902.

To the City Clerk, President and Members of the Common Council, Indianapolis, Indiana:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Ind., under Section 12 of the city charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 o'clock p. m. on Thursday, Dec. 11, 1902, in the council chamber of said city, for the purpose of filling the vacant office for the unexpired term of Councilman-at-Large caused by the resignation of Harry M. Haldeman at the last general meeting of the Common Council, Nov. 17, 1902.

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Witness my hand and official seal this 29th day of November, 1902.

(Seal.)

CHAS. N. ELLIOTT.

City Clerk.

State of Indiana, Marion County, ss:

Personally appeared before the undersigned, a notary public in and for said county and State, Louise Henry, who being duly sworn, upon her oath says, that she is a clerk for The Reporter Publishing Co., publishers of The Daily Reporter, a newspaper of general circulation, printed and published in the English language, in the city of Indianapolis, in the county aforesaid, and that the notice, of which the attached is a true copy, was duly published in said paper for two insertions successively, the first of which publication was on the 1st day of December, 1902, and the last on the 2nd day of December, 1902.

LOUISE HENRY.

Subscribed and sworn to before me, this 2nd day of December, 1902.

(Seal.)

RICHARD W. LANGSDALE,

Notary Public.

My commission expires Oct. 25, 1906.

Which was read and ordered spread on the minutes.

Vice-President Rhodes announced that nominations for Councilman-at-Large were in order.

Whereupon Mr. Wheeler placed in nomination Mr. William P. Spray, and Mr. Moriarity placed in nomination Mr. Robert M. Madden.

Mr. Crall moved that the election be by ballot, and that the chair appoint two tellers to collect the ballots.

Mr. Negley moved as a substitute that the clerk call the roll, and that each member of the Council announce the name of the candidate for whom he desires to vote.

Which substitute motion prevailed.

Whereupon the clerk called the roll with the following result:

Mr. Spray received eleven votes—

Viz.: Messrs. Billingsley, Cooper, Crall, Eppert, McFarland, Negley, Soubier, Wheeler, Wynne, Wysong. and Vice-President Rhodes.

Mr. Madden received eight votes—

Viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

The Clerk announced the vote, and Vice-President Rhodes declared Mr. Spray duly elected Councilman-at-Large, to serve until the first Thursday after the second Tuesday in October, 1903, or until his successor is elected and qualified.

On motion of Mr. Berry, the Common Council at 7:55 o'clock p. m. adjourned.

Vice-President.

ATTEST:

City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, December 15, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber. Monday evening, December 15, 1902, at 8:00 o'clock, in regular meeting.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 20 members, viz.: Messrs. Berry, Billingsley, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, none.

The Clerk proceeded to read the Journal, whereupon Councilman Billingsley moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT, City of Indianapolis.

INDIANAPOLIS, December 3, 1902.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 74, 1092: "An ordinance regulating the sale of milk and cream, prescribing the per centum of butter fat and other solids said articles shall contain, providing a penalty for violation of any of its provisions, and repealing all ordinances in conflict therewith."

G. O. No. 75, 1902: "An ordinance approving a certain contract granting the Indianapolis Light and Power Company the right to lay and maintain a switch or sidetrack on Kentucky avenue, in the city of Indianapolis, Indiana."

G. O. No. 77, 1902: "An ordinance transferring the sum of two thousand dollars from certain funds to certain funds for the use of the

Department of Public Works, and fixing a time when the same shall take effect."

G. O. No. 78, 1902: "An ordinance transferring the sum of three hundred and sixty dollars from certain funds to certain funds for the Department of Public Health and Charities, and fixing a time when the same shall take effect."

Very truly yours,

C. H. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

INDIANAPOLIS, December 13, 1902.

To the President and Members of the Common Council:

Gentlemen—I herewith refer to your honorable body the attached communication from the Board of Public Health, and desire to state that I do not think that the Board has exaggerated or over-estimated the seriousness of the smallpox situation at this time. I also desire to urge that the Council take immediate action in amending App. O. No. 16.

I find after consultation with the Board of Public Works and the City Attorney that it will be impossible to carry out the provisions in this ordinance, namely, the provision implying the hospital shall be established three-quarters of a mile from the city limits, without putting the city in a position of having to defend itself in a large number of damage suits on account of the depreciation of the value of property in any new location in which the hospital for contagious diseases may be located.

Hoping the Council can see its way clear to take immediate action on the ordinance, I remain,

Yours very respectfully,

C. A. BOOKWALTER,

Mayor.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,

INDIANAPOLIS, December 13, 1902.

Hon. Charles A. Bookwalter, Mayor, City of Indianapolis:

Dear Sir—The smallpox situation is such that immediate action must be taken or serious consequences may ensue. Having done everything in our power to stop the increase of the disease with the limited resources at our command, we are frank to state that we do not feel as though this Board cares to assume the responsibility of the result.

In the calendar year of 1902 we have cared for over 400 cases of smallpox. We now desire to inform you that unless resources are placed at our command this number will be largely increased next year, perhaps doubled, the result of which would possibly result in an epidemic.

We have heretofore endeavored to accurately represent the situation to you quietly and without exaggeration, so as not to attract public attention and alarm of the people; but it is evident that something must be done at once in order to check this dreadful disease. The Superintendent of the City Hospital has been compelled to refuse admission to more than twenty patients at the small detention pavilion

in the hospital grounds. This precaution is necessary to avoid conditions that in all probability might spread the disease among the patients at the hospital.

Respectfully,

GEO. H. HOUSE,

GEO. D. KAHLO,

F. C. HEATH,

Board of Public Health.

Which were read and referred to Committee on Finance.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE.

Office of City Comptroller,

INDIANAPOLIS, December 15, 1902.

To the President and Members of the Common Council:

Gentlemen—I respectfully recommend the passage of an ordinance appropriating the sum of one hundred and thirty-eight dollars and eighty-eight cents (\$138.88) in favor of D. S. Morris, administrator of the estate of Benj. Kersting, deceased.

Said Benj. Kersting was operating a saloon at No. 550 W. Washington street, under license No. 319, duly issued to him, and which license expires June 20, 1903. Said Benj. Kersting died November 30, 1902, and the above amount is a rebate on his liquor license from December 1, 1902, to June 20, 1903.

Respectfully submitted,

GEO. T. BREUNING,

City Comptroller.

Which was read and referred to Committee on Finance.

DEPARTMENT OF PUBLIC WORKS.

Office of the Board.

INDIANAPOLIS, December 15, 1902.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a general ordinance ratifying and confirming a certain contract made and entered into by and between the city of Indianapolis, through its Board of Public Works, and Mr. James Wadsworth, granting said Wadsworth the right to construct and maintain a switch or sidetrack across Minnesota street in the city of Indianapolis.

Respectfully

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Negley, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 81, 1902: An ordinance approving a certain contract, giving John E. Christian, of the city of Indianapolis, permission to use the streets, alleys and public places within the city of Indianapolis in the territory bounded by Alabama street on the east, St. Clair street on the south, Delaware street on the west and Pratt street on the north, for the purpose of generating steam and distributing and supplying steam heat, by the means of pipes and appurtenances underground.

Made the following report:

INDIANAPOLIS, December 15, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Contracts and Franchises, to whom was referred G. O. No. 81, 1902, have had said ordinance under consideration and we recommend that it do pass.

H. E. NEGLEY.
LEW W. COOPER.
ED. G. SOURBIER.
J. L. McFARLAND.
GUSTAV J. T. MEYER.
A. H. WAHL.

Which was read, and, upon motion of Mr. Negley, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 25, 1902: An ordinance appropriating the sum of \$3,375 for the use of the Department of Finance, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, December 15, 1902.

To the President and Members of the Common Council:

Mr. President—Your Committee on Finance, to whom has been referred App. O. No. 25, 1902, beg leave to report that they have had same under consideration, and recommend that same do pass.

T. A. WYNNE.
JNO. H. CRALL.
FRED. W. EPPERT.
W. A. RHODES.
J. E. BERRY.
B. F. WYSONG.
J. D. MORIARITY.

Which was read and, upon motion of Mr. Berry, concurred in.

Mr. Negley, on behalf of Committee on Judiciary, to which was referred G. O. No. 83, 1902: An ordinance to promote public safety by prohibiting persons from getting on or off of street cars and interurban cars in the city of Indianapolis, Indiana, while the same are in motion; providing a penalty for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, December 15, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Judiciary, to whom was referred G. O. No. 83, 1902, beg leave to report that we have had said ordinance under consideration, and we recommend that same do pass.

H. E. NEGLEY.
FRED. W. EPPERT.
M. C. KELLY.

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Negley, on behalf of Committee on Judiciary, to which was referred a communication from Board of Public Works, relative to App. O. No. 16, 1902, which was passed by the Common Council July 7, 1902.

Made the following report:

INDIANAPOLIS, December 15, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Judiciary, to whom was referred a communication from the Board of Public Works relative to App. O. No. 16, 1902, asking that said ordinance be amended, beg leave to report that we can not agree on a recommendation in such matter, and ask to be discharged from further consideration of the same, in order that other action may be taken.

H. E. NEGLEY.
FRED. W. EPPERT.
M. C. KELLY.

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to which was referred G. O. No. 82, 1902: An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in

the city of Indianapolis, and prescribing a penalty for the violation thereof.

Made the following report:

INDIANAPOLIS, December 15, 1902.

To the President and Members of the Common Council:

Gentlemen—We, your Committee on Public Safety and Comfort, to whom was referred G. O. No. 82, 1902, have had same under consideration and recommend that same do pass.

ED. G. SOURBIER.
B. F. WYSONG.
J. L. McFARLAND.
H. E. NEGLEY.
A. H. WAHL.

Which was read and, on motion of Mr. Sourbier, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By City Comptroller (through Mr. Wynne):

App. O. No. 26, 1902: An ordinance appropriating the sum of \$138.88 with which to pay a certain claim made by virtue of Section 8, of an act entitled "An act to better regulate and restrict the sale of intoxicating and malt liquors," etc., approved March 11, 1895, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the sum of one hundred and thirty-eight dollars and eighty-eight cents (\$138.88) be, and the same is hereby, appropriated to pay the following claim, made under and by virtue of Section 8 of an act of the General Assembly of the State of Indiana, entitled, "An act to better regulate and restrict the sale of intoxicating liquors," approved March 11, 1895, viz.:

Donald S. Morris, administrator of the estate of Benjamin Kersting, deceased, rebate on liquor license from December 1, 1902, to June 20, 1903, the sum of \$138.88.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

G. O. No. 84, 1902: An ordinance approving a certain contract granting Mr. James Wadsworth the right to lay and maintain a switch or sidetrack across Minnesota street in the city of Indianapolis.

WHEREAS, heretofore, to wit: On the 15th day of December, 1902, James Wadsworth filed his petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, December 15, 1902.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, James Wadsworth, respectfully petitions your honorable Board, asking permission to construct and maintain one switch or sidetrack across Minnesota street, more particularly described as follows. The following described center line of railroad switch, beginning at a point in the south line of Minnesota street, the said point being two feet northwest of the center line of the northwest track of the Indianapolis Union Railway Company (Belt Railway); thence with a curve line in a northeasterly direction to a point in the north line of Minnesota street, the said point being ten (10) feet northwest of the center line of the northwest track of the Indianapolis Union Railway Company (Belt Railway). All as shown by drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

JAMES WADSWORTH.

NOW, THEREFORE, This agreement made and entered into this 15th day of December, 1902, by and between James Wadsworth, of the city of Indianapolis, County of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across Minnesota street, in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects Minnesota street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch, or in causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and, in case said sidetrack shall become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge) it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claim for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith and declaring an emergency," approved March 6, 1901, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Minnesota street, in the city of Indianapolis, as follows: The following described center line of railroad switch beginning at a point in the south line of Minnesota street, the said point being two feet northwest of the center line of the northwest track of the Indianapolis Union Railway Company (Belt Railway), thence with a curve

line in a northeasterly direction to a point in the north line of Minnesota street, the said point being ten (10) feet northwest of the center line of the northwest track of the Indianapolis Union Railway Company (Belt Railway). All as shown on attached blue print marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 15th day of December, 1902.

JAMES WADSWORTH,
Party of the First Part.

Attest:

CITY OF INDIANAPOLIS:
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,
Board of Public Works,
Party of the Second Part.

AND, WHEREAS, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action, now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Wynne:

Special O. No. 3, 1902: An ordinance to amend Section 1 of App. O. No. 16, 1902, by striking out from said section of said ordinance the following words: "located not less than three-quarters of a mile from the city limits;" and fixing a time when the same shall take effect.

Section 1. Be it ordained, by the Common Council of the city of Indianapolis, Indiana, that Section 1, of App. O. No. 16, 1902, be, and it is hereby, amended by striking out of said section, in the fourth (4th) and fifth (5th) lines thereof as printed in the Journal, the following words, to-wit: "located not less than three-quarters of a mile from the city limits."

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Kelly:

G. O. No. 85, 1902: An ordinance repealing Vehicle Ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general Vehicle Ordinance providing a license on all vehicles, approved November 27, 1893.

Section 1. Be it ordained by the Common Council of the city of Indianapolis that general Ordinance providing a license or tax on all

vehicles, approved March 1, 1880, and all ordinances in conflict with the general Vehicle Ordinance, approved November 27, 1893, is hereby repealed.

Sec. 2. This ordinance shall be in force and effect from and after its passage on legal publication.

Which was read a first time and referred to Committee on Finance.

MISCELLANEOUS BUSINESS.

Mr. Crall moved that the Council proceed to elect a President.

Which motion prevailed.

Whereupon Mr. Crall placed in nomination Councilman James H. Billingsley.

Mr. Moriarity placed in nomination Councilman Michael C. Kelly.

Mr. McFarland moved that nominations close.

Which motion prevailed.

On order of Vice-President Rhodes, the roll was called for the election of a President of the Common Council.

Those voting for Mr. Billingsley were 13, viz.: Messrs. Billingsley, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Sourbier, Spray, Wheeler, Wynne, Wysong and Vice-President Rhodes.

Those voting for Mr. Kelly were 8, viz.: Messrs. Berry, Kelley, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Wahl, the election of Mr. Billingsley was made unanimous, and Vice-President Rhodes declared Councilman Billingsley duly elected President of the Common Council.

Mr. Eppert introduced the following motion:

INDIANAPOLIS, Dec. 15, 1902.

Notice is hereby given that at the next regular meeting a motion will be made to adopt the following amendments to the rules of this body, viz: Under the head of "duties of President," the second paragraph shall be amended to read as follows: "He shall appoint all standing committees as well as all special committees that may be ordered by the Council. All standing committees shall be appointed

at the commencement of the term of Council: Provided, however, That said standing committees shall survive only during the term of the President appointing same.

"He shall also fill all existing vacancies that may hereafter occur in any of said committees."

FRED W. EPPERT.

Which was read and referred to Committee on Rules.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 25, 1902: An ordinance appropriating the sum of \$3.375 for the use of the Department of Finance, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 25, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 82, 1902: An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof.

On motion of Mr. Sourbier, G. O. No. 82, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 14, viz.: Messrs. Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 6, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Warweg and Wolsiffer.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 83, 1902: An ordinance to promote public safety by prohibiting persons from getting on or off of street cars and interurban cars in the city of Indianapolis, Indiana, while the same are in motion; providing a penalty for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 83, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Cooper, Crall, Eppert, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 3, viz.: Messrs. Berry, Moriarity and Wolsiffer.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

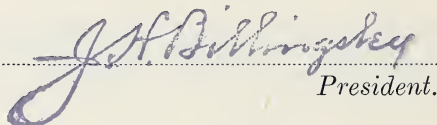
G. O. No. 81, 1902: An ordinance approving a certain contract, giving John E. Christian, of the city of Indianapolis, permission to use the streets, alleys and public places within the city of Indianapolis in the territory bounded by Alabama street on the east, St. Clair street on the south, Delaware street on the west and Pratt street on the north, for the purpose of generating steam and distributing and supplying steam heat, by the means of pipes and appurtenances underground.

On motion of Mr. Negley, G. O. No. 81, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

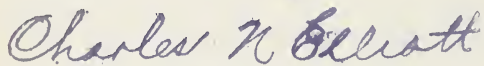
Ayes, 15, viz.: Messrs. Berry, Crall, Meyer, Moriarity, Negley, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 5, viz.: Messrs. Cooper, Eppert, Kelly, McFarland, and Rhodes.

On motion of Mr. Berry, the Common Council at 8:50 o'clock p. m. adjourned.


.....
President.

ATTEST:


.....

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
WEDNESDAY, December 17, 1902.

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday evening, December 17, 1902, at 7:30 o'clock, in special session, pursuant to the following call:

Indianapolis, Ind., Dec. 16. 1902.

Chas. Elliott, City Clerk:

Dear Sir—You are hereby directed to call a special meeting of Common Council of the City of Indianapolis, to meet at 7:30 p. m. Dec. 17, 1902, in the Council Chamber, for the purpose of taking action on and passing Special Ordinance No. 3, 1902.

Very truly,

J. H. BILLINGSLEY,
President of Common Council.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. James H. Billingsley, President of the Common Council, and 18 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent, 2, viz.: Messrs. Kelly and Wolsiffer.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of the majority Committee on Finance, to which was referred Special O. No. 3, 1902: An ordinance to amend Section 1 of App. O. No. 16, 1902, by striking out from said section of said ordinance the following words: "Located not less than three-quarters of a mile from the city limits," and fixing a time when the same shall take effect.

Made the following report:

Indianapolis, Ind., Dec. 17, 1902.

Mr. President:

Your Committee on Finance, to whom was referred Special Ordinance No. 3, 1902, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE.
W. A. RHODES,
JNO. H. CRALL,
B. F. WYSONG.

Which was read.

Mr. Moriarity, on behalf of the minority Committee on Finance, to which was referred Special O. No. 3, 1902.

Made the following report:

To the President and Members of the Common Council:

Gentlemen—We, the undersigned minority of your Committee on Finance, to which was referred Special Ordinance No. 3, 1902, the same being an ordinance to amend, by striking out the words "Three-fourths of a mile from the city limits" from the ordinance heretofore passed, authorizing the purchase and erection of a building to be commonly known and used as a Pest House, have considered the same, and we hereby consent to the passage of said ordinance, but in giving our consent to the passage of said amending ordinance, we desire to call the attention of the general public to the outrageous neglect upon the part of the city officials in regard to the purchase and erection of a suitable pest house.

The original ordinance was passed in July, 1902, whereby the Board of Health and Board of Public Works were authorized to purchase and erect the pest house at a distance of not less than three-quarters of a mile from the city limits. The city officials, whose duty it was to look after said matter, were fully aware at the time of the passage of said ordinance, of the dangers to be expected from the spread of smallpox because of the prevalence of smallpox in this city during the preceding year, and by reason of the frequent warnings given by Dr. J. N. Hurty of the State Board of Health, said officials knew that there was danger of a smallpox epidemic in this city during the present winter, and yet, notwithstanding all of this knowledge, they neglected to take any steps for the erection and completion of a pest house.

They now claim that the ordinance passed was illegal; but the city of Indianapolis had a City Attorney at the time of the passage of this ordinance and it was the duty of the city officials to have the question of the legality of the ordinance passed upon at that time so that if the city ordinance was invalid a new ordinance could be passed authorizing the construction of the pest house. But on account of political reasons the Board of Health, Board of Public Works and Mayor purposely postponed the question of the erection of the pest house until after the State and County election, held in November. In order that these officials might further their own political ends, they have sacrificed and endangered the welfare of the public health until the season when the smallpox becomes dangerous and liable to be spread, is again upon us; and by reason of this gross neglect, upon the part of the public officials, the smallpox patients are kept in a tent upon the hospital grounds where there is great danger of the spread of the disease to the thickly populated portion of the city immediately south and east of the hospital, and also to the unfortunate poor who are compelled to go for medical care and treatment to the city hospital. These city officials have, in endeavoring to further their own political purposes, endangered the lives of the residents in the locality of the city hospital, and have brought about a condition which is liable to result in a smallpox epidemic in the city during the present winter.

We have consulted competent attorneys in this city and they declare that the original pest house ordinance was valid and that the city has a right to erect the same beyond the limits of the city; but we feel that the present condition is such as to demand immediate action and that nothing should be placed in the way of whatever action will result in the immediate construction of the pest house, and therefore on that account we give our consent to the passage of this ordinance.

JAMES D. MORIARITY,
J. E. BERRY.

Minority Committee on Finance.

Which was read.

Mr. Holliday moved that the minority report be substituted for the majority report.

Which motion prevailed.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

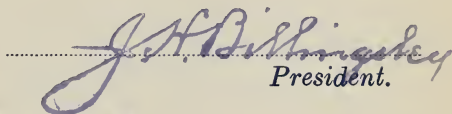
Special O. No. 3, 1902: An ordinance to amend Section 1 of App. O. No. 16, 1902, by striking out from said section of said ordinance the following words: "Located not less than three-quarters of a mile from the city limits," and fixing a time when the same shall take effect.

On motion of Mr. Wynne, Special O. No. 3, 1902, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Cooper, Crall, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Sourbier, Spray, Wahl, Warweg, Wheeler, Wynne, Wyson, and President Billingsley.

Noes, 2, viz.: Messrs. Eppert and Shea.

On motion of Mr. Sourbier, the Common Council adjourned at 7:45 o'clock p. m.


President.

ATTEST:



City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, January 5, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 5, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 19 members, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Cooper.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT.

City of Indianapolis.

INDIANAPOLIS, IND., December 22, 1902.

To the City Clerk, President and Members of the Common Council, Indianapolis, Ind.:

Gentlemen—I have this day signed and approved the following ordinances:

Special Ordinance No. 3, 1902: An ordinance to amend Section 1 of Appropriation Ordinance No. 16, 1902, by striking out from said section of said ordinance the following words: "located not less than three-quarters of a mile from the city limits," and fixing a time when the same shall take effect.

General Ordinance No. 83, 1902: An ordinance prohibiting persons from getting on or off of street cars while same are in motion.

Appropriation Ordinance No. 25, 1902: An ordinance appropriating the sum of \$3,375 for the use of the department of finance, and fixing a time when same shall take effect.

General Ordinance No. 81, 1902: An ordinance approving a certain contract giving John E. Christian permission to use the streets in a certain district for the purpose of distributing and supplying steam heat.

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS.

Office of the Board.

INDIANAPOLIS, January 5, 1903.

To the President and Members of the Common Council:

Gentlemen—We herewith transmit for your consideration and action thereon an ordinance ratifying, confirming and approving a contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and the Citizens Heat and Light Company.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

CHAS. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 26, 1902: An ordinance appropriating the sum of \$138.88 with which to pay a certain claim made by virtue of Section 8, of an act entitled "An act to better regulate and restrict the sale of intoxicating and malt liquors," etc., approved March 11, 1895, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, December 30, 1902.

Mr. President:

Your Committee on Finance, to whom has been referred Appropriation Ordinance No. 26, 1902, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,

J. H. CRALL,

B. F. WYSONG,

JAS. E. BERRY,

JAMES D. MORIARITY,

W. A. RHODES.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Eppert, on behalf of Committee on Ordinances, to which was referred Special O. No. 2, 1902: An ordinance annexing certain territory to the city of Indianapolis, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, IND., January 5, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred Special Ordinance No. 2, 1902, have had same under consideration and recommend that same do pass.

FRED. W. EPPERT,
W. H. WHEELER,
GUSTAV J. T. MEYER.

Which was read and, upon motion of Mr. Eppert, concurred in.

Mr. Wynne, on behalf of Committee on Railroads, to which was referred G. O. No. 84, 1902: An ordinance approving a certain contract granting Mr. James Wadsworth the right to lay and maintain a switch or sidetrack across Minnesota street in the city of Indianapolis.

Made the following report:

INDIANAPOLIS, IND., January 5, 1903.

Mr. President:

Your Committee on Railroads, to whom has been referred General Ordinance No. 84, 1902, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
J. S. HOLLIDAY,
JOHN WOLSIFFER.

Which was read and, upon motion of Mr. Wynne, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinance was introduced:

By Board of Public Works:

General Ordinance No. 1, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and The Citizens Heat and Light Company, its successors and assigns, granting the authority and permission to use the streets, alleys, and public places of, and within, the City of Indianapolis, for the purpose of heating water or steam and generating electricity.

and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

WHEREAS, heretofore, to wit, on the 3rd day of January, 1903, the City of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with The Citizens Heat and Light Company, namely:

THIS AGREEMENT, made this 3rd day of January, 1903, by and between the City of Indianapolis, by and through its Board of Public Works, party of the first part, and The Citizens Heat and Light Company, a corporation under the laws of the State of Indiana, party of the second part,

WITNESSETH: That the party of the first part does hereby grant unto the party of the second part, its successors and assigns, subject to any laws and ordinances now in force or hereafter enacted or put in force as police regulations, authority and permission to use the streets, alleys and public places of and within the City of Indianapolis as hereinafter bounded for the purpose of heating water or steam, and generating electricity, and distributing and supplying hot water, steam and electricity, or either thereof, for heat, light and power or either thereof, by means of pipes, conduits, wires and appurtenances underground and poles, wires and appurtenances overhead, or either or any thereof, which grant is and shall be upon the following terms and conditions, that is to say:

(1) The territory to be occupied by the said party of the second part with its plant shall be bounded as follows, to wit:

Beginning at the junction of Central Avenue and Sutherland Avenue, thence northeast in Sutherland Avenue to Twenty-seventh Street; thence east in Twenty-seventh Street to Cornell Avenue; thence north in Cornell Avenue to Twenty-ninth Street; thence west in Twenty-ninth Street to the south line of Fall Creek; thence in a southwesterly direction with the south line of Fall Creek to Central Avenue; thence south in Central Avenue to the place of beginning.

(2) The station or stations for generating or creating heat, power or light for distribution may be established and maintained by the second party upon ground owned or leased by it at suitable points in said territory adjoining the right of way of the Lake Erie & Western Railroad Company, and all buildings, structures, machinery and appliances shall conform to the fire and building ordinances of said city, and shall be at all times subject to inspection and all reasonable regulations of the Common Council.

(3) Whenever the second party shall desire to construct any appliances for the distribution of heat, power, or light, as aforesaid, through the territory to be supplied by such stations respectively, it shall prepare and place on file in the office of the Board of Public Works of said city, maps, plans, and specifications of such proposed construction, which specifications shall include all excavations and all underground and overhead apparatus and appliances of every kind and description, showing the exact location of all poles, pipes, conduits, ducts, and other appliances, the height above or the depth below the surface of the street, and, in general, where and how such work is to be done, and shall conform in all respects to the provisions of this contract and any ordinances of the Common Council relating to public safety and health;

which maps, plans, and specifications shall be approved without delay by the said Board of Public Works, and a permit for cutting into the streets, alleys, and public places issued to said party of the second part, before such work shall be begun. Alleys, instead of streets, shall be used whenever practicable. And all poles, wherever erected in the construction of said plant, shall be so placed as to interfere as little as possible with other public uses of the streets, alleys or other grounds, or with public or private interests or conveniences. The Board of Public Works shall have power to designate at what point in the street, alley, or public place, shown upon such maps, plans, and specifications, the trenches, conduits, poles, or appliances used by said second party in the distribution of heat, light, or power shall be located. In case of a dispute between any property owner and said second party as to the location of any of the appliances aforesaid, the decision of the Board of Public Works as to such location shall be final.

(4) It is also agreed that all the underground wires, conduits, pipes, ducts, and appliances used in the construction of said plant shall be placed at such depth that the top and all parts thereof shall be not less than two feet below the surface of the street, alley or public place wherein they are located, and shall be so located and constructed as not to interfere with or disturb existing surface or underground structures, conduits, pipes or other property belonging to other corporations, companies or persons, or sewers or sewer connections; nothing contained herein shall preclude the said city from prosecuting or authorizing any future public work of any character, but in the prosecution of any public work or improvement hereafter the said Board shall have the right, if it deems the same necessary, to require the temporary removal of any wire, pipe, conduit, duct, or appliance, authorized by this contract to be laid, and the same shall be removed or necessary changes made therein by the said second party so as to conform according to the terms of this contract with the surface grade of any unimproved street, alley or public place ordered to be improved, on the order and requirement of the said Board, and in case of a failure on the part of the said second party to comply with any such order or requirement, then the said Board may make such removal or change and the necessary cost thereof shall be paid by the said second party to the City Comptroller upon proper demand being made therefor.

(5) It is also agreed that all the work of the construction or repair of that part of the second party's plant that is located in any of the streets, alleys, or public places of said city shall be under and subject to the supervision of inspectors to be appointed by the said Board of Public Works, the said inspectors to be appointed and begin the inspection and supervision of said work or repair as soon as the said second party shall have completed the excavations therefor, and all the necessary expense for the employment of all such inspectors shall be paid by the said party of the second part to the City Comptroller on demand. The Board of Public Works of said city shall at all times have the right to inspect, superintend and control the construction of the conduits, manholes and other appurtenances which may be constructed as part of said plant; and the right is hereby reserved to said Board to order any change made from time to time for city purposes; all such changes to be made by the said second party without expense to said city. In case the said party of the second part shall neglect or refuse to obey any instructions of said Board with respect to any alteration to be made, the said Board is authorized to make the same, and collect the cost thereof from the said party of the second part.

(6) The said Company, party of the second part, agrees and binds itself that in the construction or repair of said plant it will not at any time open or encumber more of any street, alley or public place than may be necessary to enable it to perform the work of laying its pipes,

wires, cables, conduits, conductors and other appurtenances, with proper economy and efficiency, and that no opening of or encumbrance to any of such streets, alleys or public places shall be permitted to remain or continue for a longer period than may be necessary within the judgment of the Board of Public Works; and that it will properly and effectually guard all such openings and encumbrances with such barriers and lights as will prevent the happening of accidents or injuries by reason thereof. The said company, party of the second part, also agrees and binds itself to hold the City of Indianapolis harmless as against any and all damages done by it to the streets, alleys, avenues and public places within such city, in the building and construction of its said plant underground or aerial; that it will restore all streets, alleys, avenues and public places to the same condition after the completion of its work as they were before being cut into or used by it, the said company—all such streets, alleys, avenues and public places to be repaved with the same material with which they were paved before being disturbed by it, or with such material and in such manner as shall be satisfactory to said Board of Public Works; that it will at all times make any and all repairs which may be necessary to any of the streets, alleys, avenues or public places, by reason of the same having been dugged into or disturbed in the construction or repair of said plant; that it will not, in such construction or repair, dig, cut into or remove material from the surface or underneath the surface of any such street, alley, avenue or public place, without having first prepared and filed with the Board of Public Works maps, plans, and specifications, as herein provided, and obtained the consent of the said Board; that it will pay all damages for personal or other injuries that may result from or grow out of any work that may be done by or for it in such construction or repair that it will indemnify and save said city harmless from any and all liability or expense growing out of or resulting from the construction or repair of any part of its said plant; that it will, upon demand of the City Comptroller of said city, pay any damages which may have accrued to said city, and any and all judgments which may have been obtained and rendered against such city on account and by reason of the construction or repair of said plant, or the occupancy by it of any of the streets, alleys, or public places in said city; that if the said city shall become involved in any action or suit, on account of any act or omission of the said second party in the construction or operation of its said plant, it will, upon notice from said city or its proper officers, appear and defend such action or suit without expense to the said city; and that it will also protect and save said City of Indianapolis harmless as against any and all suits which may be brought by any person or corporation for the infringement of any patent which may be alleged against such corporation, either in the course of the construction or operation of the said plant or system.

(7) In the equipment of the stations of the party of the second part it shall employ the most modern and effective appliances for the consumption or suppression of the smoke from its furnaces or other heating apparatus; and in the distribution of electricity for light or power, the most modern and effective equipment and appliances shall be used to prevent damage therefrom.

(8) The said party of the second part shall have the right to tap or connect with any sewer in any street, alley or public place occupied by any of the pipes, casings or appliances of the party of the second part for the purpose of draining such pipes, casings and appliances and the trenches in which they are laid, provided plans and specifications showing where and how such tapping or connection shall be made have been first filed with and approved by the Board of Public Works and a permit issued therefor, all of which work shall be done under the supervision of inspectors appointed by said Board as provided in section five (5) of this contract.

(9) Before beginning the work of construction by the party of the second part, it shall execute to the party of the first part, to the approval of its Board of Public Works, a good and sufficient bond in the sum of twenty-five thousand dollars (\$25,000.00), which bond shall be conditioned for the faithful performance by said company, party of the second part, of each and every stipulation and agreement contained in this contract, and for the carrying out of all the terms and conditions thereof during the entire period and term covered thereby; and the said Board of Public Works shall have the right, at any time during said period, whenever the surety on said bond shall not be deemed ample and satisfactory, or said bond has been impaired by money payments thereon, to require such additional surety thereon as it may deem necessary, and if said company, party of the second part, shall on written demand of such Board refuse or fail to furnish such additional surety, then its rights under this contract shall cease and the franchise hereby granted be forfeited, such forfeiture to be enforced in any court of competent jurisdiction.

(10) Said second party agrees, unless prevented without fault of its own, that it will, within one hundred twenty (120) days after the execution and approval of this contract, commence to construct such plant, and that it will have such plant completed and ready for operation on or before September 1st, 1903. And for the faithful performance of the stipulations on behalf of the party of the second part in this, the tenth paragraph of this contract, the second party shall execute a bond to the approval of the Board of Public Works in the sum of ten thousand dollars (\$10,000.00.)

(11) It is agreed that the annual rate which the second party may charge to the consumers of hot water heat supplied by it shall not exceed seventeen (17) cents per square foot of radiating surface in use by any customer, said charge to be divided according to seasons and time of payment as may be determined by the party of the second part; the radiation to be ascertained by measuring the surface of the radiators or pipes used by the customers for heating.

(12) The rate to be charged by the second party for incandescent electric lighting shall not exceed ten (10) cents per thousand watts, to be paid as may be required by the second party.

(13) It is agreed that any consumer whose radiation is sufficient, under the regulations of the company, and to whom insufficient heat is supplied to maintain uniformly a maximum temperature within the room where such radiation is supplied of seventy degrees Fahrenheit, there shall be allowed by such company, from the charges against such consumer, a discount justly proportioned to the loss in temperature below said maximum: Provided, however, That there shall be no charge against such consumer for such time during the months of October, November, December, January, February, March and April, when such temperature shall fall below fifty-five (55) degrees Fahrenheit; and Provided, also, That such discounts shall not be required where the company has not been notified in writing of such insufficiency of heat and given an opportunity to discover the cause, and, if due to the company's service, to remedy the same, nor shall it be required where the cause is due to defective radiation or the violation of the company's rules for receiving and distributing the heat, or to defective construction of building, or to any fault of the consumer.

(14) It is further agreed, in consideration of the privileges herein granted by the first party, that the second party will pay annually, at the close of each fiscal year of the party of the second part to the party of the first part, the sum of five (5) per centum of the gross receipts derived by the party of the second part from the furnishing of hot water heating and incandescent electric lighting, under the provisions of

this contract. And it is agreed that the party of the second part shall, at the close of said fiscal year, render to the first party a full statement of such gross receipts, verified by the proper officer of said company. In the event that doubt shall arise as to the accuracy of any such statements, it is agreed that the Comptroller of said city shall have access to and the privilege of examining the books of the party of the second part, and determining therefrom the amount of such gross receipts, and the sum by him ascertained shall constitute the basis for said per centum charge.

(15) All rights, privileges, and concessions herein granted to the said company, party of the second part, are expressly limited to a period of twenty-five years from the 1st day of September, 1903, which limitation of time is hereby declared to be one of the chief considerations for the grants herein contained.

(16) To the end that at the expiration of the said period for which said grant is made there may be no doubts exist as to the respective rights of the parties hereto, it is agreed:

(a) If, at any time, not less than three (3) months nor more than six months before the expiration of said term, a new franchise and right to occupy the streets, alleys, avenues and public places of said city, and to supply hot water, steam, electricity, or either thereof, for heat, light and power, or either thereof, by means of pipes, conduits, wires and appurtenances overhead, or either or any thereof shall not have been granted to said company, its successors or assigns by the proper officers of said city, then the said city shall have the option to become the purchaser and owner of all the tangible property of said company, by the payment to the corporation then owning the same the fair cash value of such tangible property as constituting an operating plant and system, and in case the said city, through its proper officers and the said corporation, are unable to agree as to the fair cash value, as aforesaid, of such property, the same shall be determined by a committee of three (3) arbitrators, one of whom shall be chosen by the Mayor of said city, one by the said corporation owner, and the third by the two chosen as above, said third member of said committee to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of the parties to said contract, and the finding of the majority of such committee as to such value shall be binding on both the said city and the said corporation, and the said city shall be bound to pay and the said corporation shall be bound to receive the said amount as the purchase price of said property: Provided, That nothing herein contained shall be so construed as, that the said city shall be compelled to purchase said tangible property, or any part thereof, unless, by its officers, it shall elect to have the cash value thereof, as aforesaid, appraised as hereinabove provided, and the Common Council of said city shall, at the proper time, have made the necessary appropriation for such purpose.

If such committee of arbitration is selected and act as above, the charges of such committee for services shall be borne equally by the corporation owner and said city.

(b) If within three (3) months of the expiration of said period of twenty-five (25) years, this contract and the franchise hereby granted shall not have been renewed or extended by a new contract, ratified by ordinance, and if said city shall not have exercised its optional right to purchase the tangible property of said corporation, the said city shall have the right through its proper officers to enter into a contract with and grant a franchise to another company or corporation to operate said property upon such terms as may be fixed by such contract for a

period commencing on the date of the expiration of the franchise herein granted, and such company or corporation to which such new franchise may be granted, may become the owner of the said tangible property and have the right to operate the same upon the payment by it, to the company, party of the second part, or to whomsoever may then be the owner of such property, the fair cash value thereof as an operating plant and system, and if said company or corporation to which such new franchise is granted, and the corporation owning such property shall be unable to agree as to the fair cash value of said property as aforesaid, then, the same shall be determined by a committee of three (3) arbitrators to be chosen, one by each of the said corporations and the third by the two so chosen by the parties, said third member to be a disinterested and reputable expert electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his selection, in the employment of either of said companies or corporations, and the decision of such committee or a majority thereof, shall be final and binding on all parties. The expense of such committee, including their compensation, shall be equally borne, one-half by each of said two companies or corporations.

(c) If, at the expiration of said term of twenty-five (25) years, the City of Indianapolis shall not have become the owner of said plant and system, and if the tangible property constituting said plant and system shall not have been sold and delivered to any other company or corporation having a franchise and the right, by a contract with the city, to operate the same, and if this franchise shall not have been renewed or extended as hereinbefore provided, then the said city shall, through its proper officers, proceed to offer by public advertisement, a new franchise for the operation of said plant and system for a term of years, which franchise shall be awarded to the bidder who, being solvent and responsible, offers the most favorable terms for the city, and its citizens, and who will bind himself, themselves or itself, as the case may be, to take the tangible property constituting said plant and system and pay to the corporation then owning the same the fair cash value thereof as an operating plant, and if the parties can not agree as to the fair cash value of said property, as aforesaid, then the same shall be determined by a committee of three (3) arbitrators to be chosen, one by each of said corporations and the third by the two so chosen by the parties; said third member to be a disinterested and reputable electrical and mechanical engineer, not residing in the State of Indiana, and not, at the time of his appointment, in the employment of either of said companies or corporations, and the decision of such committee, or a majority thereof, shall be final and binding on the said parties. The expense of such committee, including compensation, shall be equally borne, one-half by each of said two companies or corporations. If at the expiration of this franchise the same shall not have been extended, or said property disposed of as provided for herein, it is expressly understood and agreed that said company, party of the second part, shall not have the right to tear up any street or alley occupied by it for the purpose of taking up any of the underground property belonging to second party.

(17) The said company, party of the second part, shall give to said city the right to use such poles erected in any part of said city whenever such city shall require the same for the use of the fire alarm or police telegraph systems of said city.

(18) To each of the terms, conditions, provisions, stipulations and requirements of this contract, the City of Indianapolis by and through its Board of Public Works, party of the first part herein, and the said The Citizens Heat and Light Company, party of the second part herein, by its duly authorized officers and representatives, do fully agree to bind themselves, their successors and assigns.

In TESTIMONY WHEREOF, we have hereunto set our hands and seals, this the 3rd day of January, 1903, executed in duplicate.

THE CITY OF INDIANAPOLIS,

By

Board of Public Works of Said City.

Approved:

Mayor.

THE CITIZENS HEAT AND LIGHT COMPANY,

By SAMUEL W. SMITH,

President.

Attest: WIRT C. SMITH,

Secretary.

State of Indiana, Marion County, ss:

Before me, the undersigned, a notary public in and for said county, this 3rd day of January, 1903, personally appeared Samuel W. Smith, President of The Citizens Heat and Light Company, a corporation, and Wirt C. Smith, Secretary of said company, and as such officers and on behalf of said corporation duly acknowledged their execution of the foregoing agreement.

Witness my hand and notarial seal this 3rd day of January, 1903. My commission will expire November 12, 1906.

LEWIS A. COLEMAN,

Notary Public.

[Seal]

And, Whereas, Said contract and agreement has been submitted by said Board of Public Works of the City of Indianapolis to the Common Council of said city for its consideration and action thereon, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, That the foregoing contract and agreement made and entered into on the 3rd day of January, 1903, by the City of Indianapolis by and through its Board of Public Works, and The Citizens Heat and Light Company, be and the same is hereby in all things ratified, confirmed and approved, and the said The Citizens Heat and Light Company, its successors and assigns, are hereby granted the rights, privileges and authority as in said contract and agreement set forth, and in accordance with the terms, provisions and conditions thereof.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

MISCELLANEOUS BUSINESS.

Mr. Eppert introduced the following motion:

INDIANAPOLIS, IND., January 5, 1903.

Mr. President:

In pursuance of notice given at regular meeting of this Council, held December 15th, 1902, as to the proposed amending of certain rules governing this Council:

I now move you to amend Section 2, page 12, of the Rules of the Common Council of the City of Indianapolis, Marion County, Indiana:

Under the "Duties of Officers," defining the duties of the President, which now reads as follows:

"He shall appoint all Standing Committees as well as all Special Committees that may be ordered by the Council. All Standing Committees shall be appointed at the commencement of the term of Council. He shall fill all existing vacancies or vacancies that may thereafter occur in any of said Committees."

To read, amended, as follows:

He shall appoint all Standing Committees as well as all Special Committees that may be ordered by the Council. All Standing Committees shall be appointed at the commencement of the term of Council: Provided, however, That said Standing Committees shall survive only during the term of the President appointing same.

"He shall also fill all existing vacancies that may hereafter occur in any of said Committees."

[Signed.]

FRED. W. EPPERT.

Which was read and referred to Committee on Rules.

On motion of Mr. Crall, the Council took a recess of ten minutes.

Council reconvened at 8:15 o'clock.

On motion of Mr. Crall, the Council referred back to order of business:

REPORTS FROM COMMITTEE ON RULES.

Mr. Wysong, on behalf of majority Committee on Rules, to which was referred motion introduced by Mr. Eppert.

Made the following report:

INDIANAPOLIS, January 5, 1903.

Mr. President:

Your Committee on Rules, to whom was referred a motion to amend the Rules, have had same under consideration and recommends that same do pass.

B. F. WYSONG,
JAMES D. MORIARTY.

Which was read.

Mr. Negley, on behalf of minority Committee on Rules, to which was referred a motion introduced by Mr. Eppert.

Made the following report:

INDIANAPOLIS, January 5, 1903.

Mr. President:

The minority of your Committee on Rules, to which was referred a motion made by Mr. Eppert to amend the Rules of this body, begs leave to report as follows:

I find no personal objection to such proposed amendment, as the ends sought to be reached by such a movement could no doubt be brought about, whether such amendment passed or not.

However, as the purpose of such amendment must either be in the interest of the public, or the motive be a personal one, I beg to suggest that if the public good demands such a change, the public is entitled to an explanation of the necessity.

While making no personal objection to the passage of the amendment, I can see no public necessity for it, and I reserve the privilege of casting my vote against it.

Respectfully submitted,

H. E. NEGLEY.

Which was read.

Mr. Negley moved that minority report be substituted for majority report.

Mr. Crall moved to lay Mr. Negley's motion on the table.

Which motion prevailed by the following vote:

Ayes, 12, viz.: Messrs. Crall, Eppert, Kelly, Meyer, Moriarity, Shea, Sourbier, Spray, Warweg, Wheeler, Wysong, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Holliday, McFarland, Negley, Rhodes, Wahl, Wolsiffer and Wynne.

Mr. Crall moved that the majority report be adopted.

Which motion was carried by the following vote:

Ayes, 12, viz.: Messrs. Crall, Eppert, Kelly, Meyer, Moriarity, Shea, Sourbier, Spray, Warweg, Wheeler, Wysong, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Holliday, McFarland, Negley, Rhodes, Wahl, Wolsiffer and Wynne.

On motion of Mr. Eppert, the motion to amend Section 2, page 12, of the Rules of the Common Council was carried by the following vote:

Ayes, 12, viz.: Messrs. Crall, Eppert, Kelly, Meyer, Moriarity, Shea, Sourbier, Spray, Warweg, Wheeler, Wysong, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Holliday, McFarland, Negley, Rhodes, Wahl, Wolsiffer and Wynne.

Whereupon President Billingsley announced the appointment of the following Standing Committees:

Accounts and Claims.—L. W. Cooper, H. E. Negley, M. C. Kelly.

Contracts and Franchises.—J. H. Crall, F. W. Eppert, B. F. Wysong, W. H. Wheeler, E. G. Sourbier, A. H. Wahl, G. J. T. Meyer.

Elections.—E. G. Sourbier, J. H. Crall, J. E. Berry.

Fees and Salaries.—W. A. Rhodes, J. S. Holliday, C. H. Warweg.

Finance.—T. A. Wynne, J. H. Crall, F. W. Eppert, L. W. Cooper, B. F. Wyson, J. E. Berry, J. D. Moriarity.

Judiciary.—H. E. Negley, J. L. McFarland, M. C. Kelly.

Ordinances.—W. P. Spray, W. H. Wheeler, G. J. T. Meyer.

Printing.—L. W. Cooper, T. A. Wynne, M. J. Shea.

Public Health.—J. L. McFarland, J. S. Holliday, C. H. Warweg.

Public Morals.—W. H. Wheeler, W. P. Spray, G. J. T. Meyer.

Public Property and Improvements.—B. F. Wyson, W. A. Rhodes, J. Wolsiffer.

Public Safety and Comfort.—E. G. Sourbier, W. P. Spray, W. A. Rhodes, F. W. Eppert, A. H. Wahl.

Railroads.—F. W. Eppert, E. G. Sourbier, W. H. Wheeler, B. F. Wyson, J. Wolsiffer.

Rules.—J. H. Crall, H. E. Negley, J. D. Moriarity.

Sewers, Streets and Alleys.—J. S. Holliday, L. W. Cooper, J. L. McFarland, W. A. Rhodes, A. H. Wahl.

Investigation and Impeachment.—T. A. Wynne, W. P. Spray, M. J. Shea.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 26, 1902: An ordinance appropriating the sum of \$138.88 with which to pay a certain claim made by virtue of Section 8, of an act entitled "An act to better regulate and restrict the sale of intoxicating and malt liquors," etc., approved March 11, 1895, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 26, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wyson, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 84, 1902: An ordinance approving a certain contract granting Mr. James Wadsworth the right to lay and maintain a switch or sidetrack across Minnesota street in the city of Indianapolis.

On motion of Mr. Wynne, G. O. No. 84, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wyson, and President Billingsley.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

Special Ordinance No. 2, 1902: An ordinance annexing certain territory to the city of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Eppert, Special O. No. 2, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 15, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, Negley, Shea, Spray, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 5, viz.: Messrs. Holliday, McFarland, Rhodes, Sourbier and Wolsiffer.

On motion of Mr. Berry, the Common Council at 8:35 o'clock p. m. adjourned.


.....
President.

ATTEST:


.....
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, January 19, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 19, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 17 members, viz.: Messrs. Berry, Crall, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. Cooper, Eppert and Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,
City of Indianapolis.
INDIANAPOLIS, December 24, 1902.

To the City Clerk, President, and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 82, 1902: "An ordinance regulating the location and position of vehicles, and treatment of animals hitched thereto at the public market, in the city of Indianapolis, and prescribing a penalty for the violation thereof.

Very truly yours,
CHARLES A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, January 12, 1903.

To the City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 26, 1902: "An ordinance appropriating the sum of \$138.88 with which to pay a certain claim made by virtue of Section 8 of an act entitled, 'An act to better regulate and restrict the sale of all intoxicating and malt liquors,' approved March 11, 1895, and fixing the time when the same shall take effect."

S. O. No. 2, 1902: "An ordinance annexing a certain territory to the city of Indianapolis and fixing a time when the same shall take effect."

G. O. No. 84, 1902: "An ordinance approving a certain contract granting Mr. Jas. Wadsworth the right to lay and maintain a switch or sidetrack across Minnesota street, in the city of Indianapolis."

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which were read and ordered spread on the minutes.

Mr. Eppert arrived at 8:10 o'clock and took his seat.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne (by request):

G. O. No. 2, 1903: An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of livery and feed stables, hereafter erected or established in the city of Indianapolis, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it shall hereafter be unlawful for any person, partnership or corporation, to locate, build, erect and maintain, or establish and maintain, any livery or feed stable, within the city of Indianapolis, upon any block or square except in the district hereinafter exempted from the provisions of this act, upon which there are located three or more dwelling houses used for residence purposes, without first obtaining the consent in writing of a majority in number of the property-owners owning the property within said block, and procuring the permit hereafter provided for.

Sec 2. It shall hereafter be unlawful for any person, partnership or corporation except in the district hereinafter exempted from the provisions of this act, to locate, build, erect and maintain, or establish and maintain, any livery or feed stable within the city of Indianapolis, upon any block or square upon which there exists any church or public school building.

Sec. 3. It shall hereafter be unlawful for any person, partnership or corporation except in the district hereinafter exempted from the provisions of this act, to locate, build, erect and maintain, or establish and maintain, any livery or feed stable within the city of Indianapolis,

upon any block or square, within fifty (50) feet of any dwelling house used for residence purposes, without first obtaining the written consent of the owner of such dwelling house, and procuring the permit hereinafter provided for.

Sec. 4. Any person hereafter desiring to locate, build, erect, and maintain, or establish and maintain, a livery or feed stable, upon any block or square in said city, shall file with the Board of Public Works his petition for a permit, which shall properly describe the parcel of ground upon which it is proposed to locate said livery or feed stable, and the same shall be signed by a majority in number of the property-owners owning the property within said block or square, and if there be a dwelling house within fifty feet of the proposed site of said location for said livery or feed stable, then said petition shall also be signed by the owner of such dwelling house so located within fifty (50) feet of such site. Thereupon, said Board of Public Works shall cause forthwith written notices to be given by letter addressed and mailed to each of the property-holders owning property, as aforesaid, in said block or square, upon which it is proposed to locate, build, erect and maintain, or establish and maintain, a livery or feed stable; stating in such notice that at a time and place therein named, the said Board will consider the petition for a permit to erect or establish such stable; and if the Board of Public Works, after the hearing, be satisfied that the petition is properly signed by a majority of the property-owners within said block or square, and by the owner of the dwelling house, if any, within fifty feet of the proposed site of such stable, and be further satisfied that there is no church or public school building on said block or square, then in that event a permit shall be granted by said Board of Public Works to said applicant to erect or establish such stable; and thereupon the City Comptroller shall be authorized to issue the permit to erect and maintain or establish and maintain such a livery or feed stable.

Sec. 5. Any person, partnership or corporation who shall violate any of the provisions of this ordinance shall be fined in the sum of one hundred dollars (\$100) for the first offense, and the sum of twenty-five dollars (\$25) for every additional offense, and every day said ordinance is violated shall constitute a separate offense.

Sec. 6. And be it further ordained and provided that any livery or feed stable erected or established in violation of this ordinance shall be deemed a nuisance, and may be abated as such; and it is hereby made the duty of the Building Inspector of the city of Indianapolis to abate the same as a nuisance by proper steps taken.

Sec. 7. The provisions of this ordinance shall not apply to the district bounded on the north by New York street, on the east by Alabama street, on the south by Georgia street, and on the west by Senate avenue.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Daily Reporter, a newspaper of general circulation, printed and published in the city of Indianapolis, Ind.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Warweg:

G. O. No. 3, 1903: An ordinance prohibiting express wagons and transfer wagons from standing upon certain streets in the city of Indianapolis, Indiana, providing a penalty for the violation thereof and fixing the time the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall be unlawful for any person to stand any express wagon, transfer wagon or other vehicle used for conveying passengers or freight for hire, upon the following streets in the city of Indianapolis, Indiana, except while loading or unloading freight or material, to wit: On Alabama street, from the north line of Washington street to the south line of Ohio street; upon Delaware street, from the north line of Washington street to the south line of Ohio street; on Market street, from the east line of Delaware street to the first alley east of Alabama street: Provided, however, That the provisions of this section shall not apply to persons selling provisions upon the East Market of the city of Indianapolis.

Sec. 2. Any person violating any of the provisions of this ordinance shall be fined in any sum not exceeding fifty dollars.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication for two successive weeks in the Daily Reporter, a newspaper of general circulation, printed and published in the city of Indianapolis.

Which was read a first time and referred to Committee on Ordinances.

MISCELLANEOUS BUSINESS.

Mr. Crall introduced the following resolution:

INDIANAPOLIS, January 19, 1903.

Resolution No. 1, 1903:

WHEREAS, It is believed to be of great importance to the city of Indianapolis that there shall be an early decision from the Indiana Supreme Court on the case involving the authority of the city to require elevation of steam railroad tracks at crossings of streets, said case having been appealed to the Supreme Court by the city from a ruling by the Marion County Superior Court; therefore, be it

RESOLVED, That the Common Council of the city of Indianapolis directs the City Attorney of said city to take all possible steps to obtain an early decision on the case from the Supreme Court, and also directs that there shall be no dismissal or compromise of said case, unless ordered by action of this council.

J. H. CRALL.

On motion of Mr. Crall, Resolution No. 1, 1903, was adopted by the following vote:

Ayes, 19, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

The following communication from Ex-President Haldeman was submitted by President Billingsley.

Hon. J. H. Billingsley, President City Council, Indianapolis, Ind.:

Dear Sir—I wish to extend to the members of the City Council through you, my sincere thanks for the beautiful cane which you sent me, as a token of your good will.

The remembrance was entirely unexpected, and I assure you is most thoroughly appreciated.

Trusting I may soon have the pleasure of seeing you all personally, I remain,

Yours very truly,

H. M. HALDEMAN.

Chicago, January 12, 1903.

Which was read and ordered spread on the minutes.

On motion of Mr. Wynne the Council referred back to the order of business

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. McFarland:

G. O. No. 4, 1903: An ordinance changing the names of Central avenue, Irving avenue, College avenue, and Maxwell avenue to that of Audubon Road; also changing the name of Detroit street to Mozart avenue; also changing the name of Downey avenue to that of Thompson avenue; also changing the name of East street to that of Sheridan avenue; also changing the name of Parkman avenue and Warren street to Catherwood avenue; also changing the name of Orchard street, Parkman avenue and Prescott avenue to Webster avenue; also changing the name of South avenue to that of Good avenue; also changing the name of Perry avenue to Berry avenue; also changing the name of Maple avenue and Pleasant avenue to Bolton avenue; also changing the name of Green avenue to Lesley avenue; also changing the name of Pleasant street to Bancroft avenue; also changing the name of Glenn street to Hiawatha street; also changing the name of Urbana street to Beauty avenue; also changing the name of Wallace street to Lansing street; also changing the name of Wallace street to Orange street; also changing the name of Clyde street to Palmer street; also changing the name of Mankedick street to Nebraska street; also changing the name of Earl street to St. Paul street; also changing the name of English avenue to Thirty-second street; also changing the name of Grande avenue to Thirty-seventh street; also changing the name of Grand avenue to Martindale avenue; also changing the name of Middle street and Huron avenue to Lexington avenue; also changing the name of Lester street to Fletcher avenue; also changing the name of Brown street to Fletcher avenue; also changing the name of Coble street to Cable street; also changing the name of Webb street to Saulcy street; also

changing the name of Highland street to Bunting street; also changing the name of Laura avenue to Iowa street; also changing the name of Miami street to Vandeman street; also changing the name of St. Elmo street to Quill street; also changing the name of Quincy street to McKimm avenue; also changing the name of Reuben street to Maryland street; also changing the name of Thompson street to Traub avenue; also changing the name of Sharpe street and Cannon street to Trowbridge street; also changing the name of Hawkins street to Dayton street; also changing the name of Sugar street to Worcester avenue; also changing the name of Lowell street to Wilkins street; also changing the name of Scott street to Muskingum street; also changing the name of Graham street to Langley avenue; also changing the name of Oak street to Eddison avenue; also changing the name of Dewey avenue to Kenwood avenue; also changing the name of Johnson street to Fourteenth street; also changing the name of Chester street to Dupont street; also changing the name of Spencer street to Thirty-first street; also changing the name of Groff avenue to Stout avenue; also changing the name of Stout avenue to Groff avenue; also changing the name of Huron street to Lexington avenue; also changing the name of Hendricks street to New Jersey street; also naming certain streets not heretofore given names; and fixing the time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That Central avenue, in what was formerly the town of Irvington, including Irving avenue and College avenue, extending from Brookville avenue to Lowell avenue, and Maxwell street, extending from Lowell avenue to Chambers street, shall be changed to and shall hereafter be known and designated as Audubon Road.

Sec. 2. And be it further ordained that Detroit street, in what was formerly the town of Irvington, extending from Huron avenue to English avenue, shall be changed to and hereafter be known and designated as Mozart avenue.

Sec. 3. And be it further ordained that Downey avenue, in what was formerly the town of Irvington, extending from Ritter avenue to Washington street, shall be changed to and hereafter be known and designated as Thompson avenue.

Sec. 4. And be it further ordained that East street, in what was formerly the town of Irvington, extending from the P., C., C. & St. L. Ry. to Washington street, shall be changed to and hereafter be known and designated as Sheridan avenue.

Sec. 5. And be it further ordained that Parkman avenue, in what was formerly the town of Irvington, extending from Ivanhoe street south, and Warren street, extending from Washington street to the P., C., C. & St. L. Ry., shall be changed to and shall hereafter be known and designated as Catherwood avenue.

Sec. 6. And be it further ordained that Orchard street (the first street east of Arlington avenue), in what was formerly the town of Irvington, extending from Washington street to the P., C., C. & St. L. Ry., and Parkman avenue, extending from Oak avenue to the P., C., C. & St. L. Ry., and Prescott avenue, extending from the C., H. & D. Ry. north, shall be changed to and hereafter be known and designated as Webster avenue.

Sec. 7. And be it further ordained that South avenue, in what was formerly the town of Irvington, extending from University avenue to

the C., H. & D. Ry., shall be changed to and shall hereafter be known and designated as Good avenue.

Sec. 8. And be it further ordained that Perry avenue, in what was formerly the town of Irvington, extending from Julian avenue to the P., C., C. & St. L. Ry., shall be changed to and shall be known and designated hereafter as Berry avenue.

Sec. 9. And be it further ordained that Maple avenue, in what was formerly the town of Irvington, extending from the P., C., C. & St. L. Ry. to Lowell avenue, and Pleasant avenue, extending from Lowell avenue to Chambers street, shall be changed to and shall hereafter be known and designated as Bolton avenue.

Sec. 10. And be it further ordained that Green avenue, in what was formerly the town of Irvington, extending from Lowell avenue to Chambers street, shall be changed to and shall hereafter be known and designated as Lesley avenue.

Sec. 11. And be it further ordained that Pleasant street (the first street west of Emerson avenue), in what was formerly the town of Irvington, extending from Washington street to Michigan street, shall be changed to and shall hereafter be known and designated as Bancroft avenue.

Sec. 12. And be it further ordained that Glenn street, extending from Owosso avenue to New York street, and from Indiana avenue to Fall Creek, shall be changed to and shall hereafter be known and designated as Hiawatha street.

Sec. 13. And be it further ordained that Urbana street, extending from Owosso avenue to New York street, shall be changed to and shall hereafter be known and designated as Beauty avenue.

Sec. 14. And be it further ordained that Wallace street (situated between Greeley street and Brush street), extending from Washington street to White River, shall be changed to and shall hereafter be known and designated as Lansing street.

Sec. 15. And be it ordained that Wallace street (the first street south of Prospect street), extending from Golay street to Earhart street, shall be changed to and shall hereafter be known and designated as Orange street.

Sec. 16. And be it further ordained that Clyde street, extending from Spruce street to State avenue, shall be changed to and shall hereafter be known and designated as Palmer street.

Sec. 17. And be it further ordained that Mankedick street, extending from Spruce street to State avenue, shall be changed to and shall hereafter be known and designated as Nebraska street.

Sec. 18. And be it further ordained that Earl street, extending from Minnesota street to Churchman avenue, shall be changed to and shall hereafter be known and designated as St. Paul street.

Sec. 19. And be it further ordained that English avenue, extending from Nicholas street to Baltimore avenue, shall be changed to and shall be hereafter known and designated as Thirty-second street; also that the street extending east from Baltimore avenue to Brightwood avenue, being at the present unnamed, and being a continuation of English avenue, shall also be named and shall hereafter be known and designated as Thirty-second street.

Sec. 20. And be it further ordained that Grande avenue, extending from the Canal to Crescent street, shall be changed to and shall hereafter be known and designated as Thirty-seventh street.

Sec. 21. And be it further ordained that Grand avenue (the first street west of Royal avenue), extending from Thirtieth street to Heath avenue, shall be changed to and shall hereafter be known and designated as Martindale avenue.

Sec. 22. And be it ordained that Middle street, extending from Star avenue to Temperance avenue, and Huron avenue, extending from Temperance avenue to Emerson avenue, shall be changed to and shall hereafter be known and designated as Lexington avenue.

Sec. 23. And be it further ordained that Lester street, extending from Keystone avenue east through Canby Place Addition, shall be changed to and shall hereafter be known and designated as Fletcher avenue.

Sec. 24. And be it further ordained that Brown street, extending from Star avenue to Temperance avenue, shall be changed to and shall hereafter be known and designated as Fletcher avenue.

Sec. 25. And be it further ordained that Coble street, extending from Tenth street north, shall be changed to and shall hereafter be known and designated as Cable street.

Sec. 26. And be it further ordained that Webb street (the first street south of New York street), extending from Wilmot street to Bank street, shall be changed to and shall hereafter be known and designated as Saulcy street.

Sec. 27. And be it further ordained that Highland street (the first street north of Vermont street), extending from Tibbs avenue east, shall be changed to and shall be hereafter known and designated as Bunting street.

Sec. 28. And be it further ordained that Laura avenue, extending from Churchman avenue to Keystone avenue, shall be changed to and shall hereafter be known and designated as Iowa street.

Sec. 29. And be it further ordained that Miami street, extending from Prospect street to the first alley south of Wallace street, shall be changed to and shall hereafter be known and designated as Vandeman street.

Sec. 30. And be it further ordained that St. Elmo street (the first street west of State avenue), extending from Van Buren street to Naomi street, and from Minnesota street to Clyde street, shall be changed to and shall hereafter be known and designated as Quill street.

Sec. 31. And be it further ordained that Quincy street (the first street east of Oriental street), extending from Southeastern avenue to Bates street, shall be changed to and shall hereafter be known and designated as McKimm avenue.

Sec. 32. And be it further ordained that Reuben street (the first street south of Washington street), extending from Reichwein avenue to Belmont avenue, shall be changed to and shall hereafter be known and designated as Maryland street.

Sec. 33. And be it further ordained that Thompson street (the first street west of Elder avenue), extending from Washington street to Maryland street, shall be changed to and shall hereafter be known and designated as Traub avenue.

Sec. 34. And be it further ordained that Sharpe street (the first street east of Keystone avenue), extending from Southeastern avenue to the C., H. & D. Ry., and Cannon street, extending from Southeastern avenue to Pleasant Run, shall be changed to and shall hereafter be known and designated as Trowbridge street.

Sec. 35. And be it further ordained that Hawkins street (the first street west of Sugar street), extending from Ayres street to Huron avenue, shall be changed to and shall hereafter be known and designated as Dayton street.

Sec. 36. And be it further ordained that Sugar street (the first street east of Hawkins street), extending from Ayres street to Huron avenue, shall be changed to and shall hereafter be known and designated as Worcester avenue.

Sec. 37. And be it further ordained that Lowell street (the second street north of Morris street), extending from Harding street to Tremont street, shall be changed to and shall hereafter be known and designated as Wilkins street.

Sec. 38. And be it further ordained that Scott street (the street between Illinois street and Capitol avenue), extending from Tenth street to Eleventh street, shall be changed to and shall be hereafter known and designated as Muskingum street.

Sec. 39. And be it ordained that Graham street, extending from Hillside avenue to Gertrude avenue, shall be changed to and shall hereafter be known and designated as Langley avenue.

Sec. 40. And be it further ordained that Oak street (the first street east of College avenue), extending from Massachusetts avenue to Eleventh street, shall be changed to and shall hereafter be known and designated as Edison avenue.

Sec. 41. And be it further ordained that Dewey avenue (between Illinois and Capitol avenue), extending from Twenty-second street to Twenty-fifth street, shall be changed to and shall hereafter be known and designated as Kenwood avenue.

Sec. 42. And be it further ordained that Johnson street (the fourth street north of Tenth street), extending from Sherman Drive, east, shall be changed to and shall be hereafter known and designated as Fourteenth street.

Sec. 43. And be it further ordained that Chester street (the first street west of Kane street), extending from North street to Walnut street, shall be changed to and shall hereafter be known and designated as Dupont street.

Sec. 44. And be it further ordained that Spencer street (the first street north of Thirtieth street), extending from Brightwood avenue to School street, shall be changed to and shall be hereafter known and designated as Thirty-first street.

Sec. 45. And be it further ordained that Stout avenue, being a portion of the first street east of Tibbs avenue, extending from Eleventh street north, shall be changed to and shall be hereafter known and designated as Groff avenue.

Sec. 46. And be it further ordained that Groff avenue, being a portion of the second street east of Tibbs avenue, extending from Eleventh street north, shall be changed to and shall hereafter be known and designated as Stout avenue.

Sec. 47. And be it further ordained that Huron street, extending from Virginia avenue to Shelby street, shall be changed to and shall hereafter be known and designated as Lexington avenue.

Sec. 48. And be it further ordained that the first street east of Dawson street, extending from Prospect street south, at present unnamed, shall be named and shall hereafter be known and designated as Hunt street.

Sec. 49. And be it further ordained that the first street north of Twenty-first street, extending from Schurman Drive to Parkway, at present unnamed, shall be named and shall hereafter be known and designated as Herschel avenue.

Sec. 50. And be it further ordained that the second street south of Finley avenue, extending from Shelby street to State avenue, at present unnamed, shall be named and shall be hereafter known and designated as Comer avenue.

Sec. 51. And be it further ordained that the first street south of Finley avenue, extending from Shelby street to State avenue, at present unnamed, shall be named and shall be hereafter known and designated as Deane avenue.

Sec. 52. And be it further ordained that the first street west of Dakota street, extending from Morris street north, at present unnamed, shall be named and shall be hereafter known and designated as Brayton avenue.

Sec. 53. And be it further ordained that the alley between Illinois street and Meridian street, extending from Sixteenth street to Twenty-first street, shall be named and shall be hereafter known and designated as Catterson street.

Sec. 54. And be it further ordained that the first street south of Wisconsin street, extending from Senate avenue to Dakota street, at present unnamed, shall be named and shall hereafter be known and designated as Nebraska street.

Sec. 55. And be it further ordained that the second street south of Wisconsin street, extending from Capitol avenue to Dakota street, at present unnamed, shall be named and shall be hereafter known and designated as Palmer street.

Sec. 56. And be it further ordained that the first street south of Minnesota street, extending from Meridian street to Senate avenue, at present unnamed, shall be named and shall be hereafter known and designated as Adler street.

Sec. 57. And be it further ordained that Hendricks street, extending from Nebraska street to Lincoln street, shall be changed to, and shall be hereafter known and designated as New Jersey street.

Sec. 58. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor of the city of Indianapolis.

Which was read a first time and referred to Committee on Ordinances.

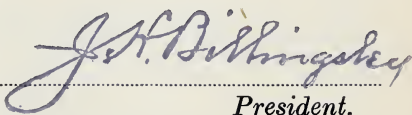
Mr. Sourbier moved that G. O. No. 79, 1902, be taken out of hands of Committee on Sewers, Streets and Alleys and be placed on second reading.

Which motion carried.

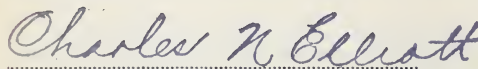
The original ordinance not being in Council, Mr. Negley objected to reading of ordinance from printed Council Proceedings.

Whereupon, G. O. No. 79, 1902, was ordered taken from hands of Committee on Sewers, Streets and Alleys, and was referred to Committee on Ordinances.

On motion of Mr. Berry, the Common Council at 8:25 o'clock p. m. adjourned.


President.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, February 2, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, February 2, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 20 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, none.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of the City Comptroller,
INDIANAPOLIS, February 2, 1903.

To the President and Members of the Common Council:

Gentlemen—By request of the Department of Public Health and Charities, I herewith recommend the passage of an ordinance appropriating the sum of Five Thousand Dollars (\$5,000.00) to be credited to the account known as the "Contagious Disease Fund."

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

INDIANAPOLIS, February 2, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a general ordinance granting the E. C. Atkins Company right to lay, construct and maintain a switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Crall, on behalf of the Committee on Contracts and Franchises to which was referred G. O. No. 1, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and The Citizens Heat and Light Company, its successors and assigns, granting the authority and permission to use the streets, alleys and public places of, and within the City of Indianapolis, for the purpose of heating water or steam and generating electricity, and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 2, 1903.

Mr. President:

Your Committee on Contracts and Franchises, to whom was referred G. O. No. 1, 1903, have had same under consideration and recommend that same do pass.

J. H. CRALL,
B. F. WYSONG,
FRED. W. EPPERT,
GUSTAV J. T. MEYER.
W. H. WHEELER.
A. H. WAHL.
ED. G. SOURBIER.

Which was read and, on motion of Mr. Crall, concurred in.

Mr. Spray, on behalf of Committee on Ordinances, to which was referred G. O. No. 79, 1902: An ordinance providing for the change of the name of Walter street to Hansen avenue, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 2, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred G. O. No. 79, 1902, have had the same under consideration and recommend that same do pass.

WM. P. SPRAY,
GUSTAV J. T. MEYER.
W. H. WHEELER.

Which was read and, on motion of Mr. Wheeler, concurred in.

Mr. Spray, on behalf of the Committee on Ordinances, to which was referred G. O. No. 3, 1903: An ordinance prohibiting express wagons and transfer wagons from standing upon certain streets in the city of Indianapolis, Indiana, providing a penalty for the violation thereof and fixing the time the same shall take effect.

Made the following report:

INDIANAPOLIS, February 2, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred G. O. No. 3, 1903, have had the same under consideration and recommend that same do pass.

WM. P. SPRAY,
W. H. WHEELER.
GUSTAV J. T. MEYER.

Which was read and, on motion of Mr. Spray, concurred in.

On motion of Mr. Crall, the Council referred back to order of business

REPORTS OF COMMITTEE ON FINANCE.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 85, 1902: An ordinance repealing Vehicle Ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general Vehicle Ordinance providing a license on all vehicles, approved November 27, 1893.

Made the following report:

INDIANAPOLIS, February 2, 1903.

Mr. President:

Your Committee on Finance, to whom was referred G. O. No. 85, 1902, have had same under consideration and recommend that same do pass.

T. A. WYNNE.
J. H. CRAILL.
B. F. WYSONG.
FRED. W. EPPERT.
J. E. BERRY.
JAMES D. MORIARITY.

Which was read and, upon motion of Mr. Wynne, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 5, 1903. An ordinance approving a certain contract granting E. C. Atkins and Company the right to lay and maintain a switch or sidetrack across the first alley north of South street, and in and along Eddy street, in the city of Indianapolis, Indiana.

WHEREAS, heretofore, to wit: On the 2d day of February, 1903, E. C. Atkins and Company filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, Ind., February 2, 1903.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, E. C. Atkins and Company, respectfully petition your honorable Board, asking permission to construct and maintain one switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street, more particularly described as follows: The center line of said proposed switch or sidetrack to begin at a point in the N. L. of the first alley north of South street, the said point being 130 40-100 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the intersection of the S. L. of the first alley north of South street with the W. L. of the first alley west of Illinois street. Also the following described center line of switch or sidetrack across South street, beginning at a point in the N. L. of South street, the said point being 205 feet west of the west line of Illinois street; thence south to a point in the S. L. of South street, the said point being 10 30-100 feet west of the east line of Eddy street. Also the following described center line of switch or sidetrack along the east side of Eddy street, beginning at a point in the S. L. of South street, the said point being 10 30-100 feet west of the east line of Eddy street; thence south parallel with and 10 30-100 feet distant from the east line of Eddy street to the N. L. of the second alley south of South street; also the following described center line of switch or sidetrack along the west side of Eddy street, beginning at a point in the south line of South street, the said point being 10 30-100 feet west of the east line of Eddy;

street; thence with a curve line in a southwesterly direction to a point 119 50-100 feet south of the S. L. of South street and 6 feet east of the west line of Eddy street; thence south parallel with and 6 feet distant from the W. L. of Eddy street to the N. L. of the second alley south of South street, all as shown by the drawing attached, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

E. C. ATKINS AND COMPANY,

By H. C. Atkins, President.

NOW, THEREFORE, This agreement, made and entered into this 2d day of February, 1903, by and between E. C. Atkins and Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part,

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across the first alley north of South street, across South street, and in and along Eddy street in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossings where said sidetrack or switch intersects the first alley north of South street and South street shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel: Provided, That no cars shall be operated on that portion of the switch crossing South street between the hours of 5 o'clock a. m. and 12 o'clock p. m.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done; and the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provisions of this instrument by said party of the first part or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley north of South street, across South street and in and along Eddy street, in the city of Indianapolis, as follows:

The center line of said proposed switch or sidetrack to begin at a point in the N. L. of the first alley north of South street, the said point being 130 40-100 feet west of the west line of Illinois street; thence with a curve line in a southwesterly direction to a point in the intersection of the S. L. of the first alley north of South street with the W. L. of the first alley west of Illinois street. Also the following described center line of switch or sidetrack across South street, beginning at a point in the N. L. of South street, the said point being 205 feet west of the west line of Illinois street, thence south to a point in the S. L. of South street, the said point being 10 30-100 feet west of the east line of Eddy street. Also the following described center line of switch or sidetrack along the east side of Eddy street, beginning at a point in the S. L. of South street, the said point being 10 30-100 feet west of the east line of Eddy street; thence south parallel with and 10 30-100 feet distant from the east line of Eddy street to the N. L. of the second alley south of South street; also the following described center line of switch or sidetrack along the west side of Eddy street, beginning at a point in the south line of South street, the said point being 10 30-100 feet west of the east line of Eddy street; thence with a curve line in a southwesterly direction to a point 119 50-100 feet south of the S. L. of South street and 6 feet east of the west line of Eddy street; thence south parallel with and 6 feet distant from the W. L. of Eddy street to the N. L. of the second alley south of South street, all as shown by the drawing attached, filed herewith, and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 2d day of February, 1903.

C. E. ATKINS AND COMPANY,
By H. C. ATKINS, President,
Party of the First Part.

CITY OF INDIANAPOLIS,
By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works,
Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

E G. O. No. 6, 1903:

An ordinance fixing the salary of the Clerk of the Department of Health and Charities, and repealing all ordinances in conflict therewith.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Clerk of the Department of Health and Charities shall receive a salary at the rate of Twelve Hundred Dollars (\$1,200) per annum, which shall be payable out of any funds not otherwise appropriated.

Sec. 2. All ordinances and parts of ordinances insofar as they are in conflict herewith are hereby repealed.

Sec. 3. This ordinance shall be in force from and after its passage.

Which was read a first time and referred to Committee on Fees and Salaries.

By Mr. Meyer:

G. O. No. 7, 1903: An ordinance repealing G. O. No. 82, 1902, entitled,

"An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis and prescribing a penalty for the violation thereof," and fixing the time the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That G. O. No. 82, 1902, entitled "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis and prescribing a penalty for the violation thereof" be and the same is hereby repealed.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two successive weeks in the Daily Reporter, a newspaper of general circulation, printed and published in the city of Indianapolis.

Which was read a first time and referred to Committee on Ordinances.

By City Comptroller (through Mr. Wynne):

G. O. No. 8, 1903: An ordinance authorizing the issue and sale of thirty (30) bonds of One Thousand (\$1,000) Dollars each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city; or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for constructing and erecting a roof and other improvements over and upon market place; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale; and fixing a time when the same shall take effect.

Whereas, It is deemed prudent and advisable and for the best interests of the city of Indianapolis to build and construct a roof and other improvements over and upon market square or market place in this city; and

Whereas, There are not now and will not be sufficient funds in the treasury of the city with which to build and construct said roof and other improvements, it is necessary for the city of Indianapolis to borrow the sum of thirty thousand (\$30,000) dollars and issue and sell its bonds in that amount payable from the general revenues and funds of said city, or the sinking fund of said city, or as may be required by law; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the head of the Department of Finance of said city be and is hereby authorized, for the purpose of procuring means to so build and construct a roof and other improvements over and upon market square or market place in this city, to prepare and sell thirty (30) new bonds of the city of Indianapolis, Marion county, Indiana, of the sum of one thousand (\$1,000) dollars each, which bonds shall bear date of March 2d, 1903, and shall be numbered ONE to THIRTY, inclusive, and shall be designated "INDIANAPOLIS MARKET HOUSE BONDS OF 1903," and shall bear interest at the rate of three and a half (3½%) per centum, which interest shall be payable semi-annually on the first day of January and the first day of July of each year, beginning with January 1st, 1904, and said installments of interest shall be evidenced by interest coupons attached to said bonds; said bonds and said coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Company, of Greater New York, State of New York; said bonds shall be signed by the mayor and city comptroller of said city of Indianapolis and attested by the city clerk, who shall affix the seal of said city to each of said bonds; and said bonds shall mature as follows:

1 to 3, inclusive, July 1, 1904.....	\$3,000 00
4 to 6, inclusive, July 1, 1905.....	3,000 00
7 to 9, inclusive, July 1, 1906.....	3,000 00
10 to 12, inclusive, July 1, 1907.....	3,000 00
13 to 15, inclusive, July 1, 1908.....	3,000 00
16 to 18, inclusive, July 1, 1909.....	3,000 00
19 to 21, inclusive, July 1, 1910.....	3,000 00
22 to 24, inclusive, July 1, 1911.....	3,000 00
25 to 27, inclusive, July 1, 1912.....	3,000 00
28 to 30 inclusive, July 1, 1913.....	3,000 00

With coupons attached thereto for the semi-annual installments of interest at the rate of three and a half (3½%) per centum per annum, payable January 1st and July 1st of each year, beginning with January 1st, 1904, with the first coupon on each bond being for ten (10)

months' interest, from March 2d to January 1st, 1904; and said interest coupons shall bear the lithographic fac-simile of the signatures of the mayor and city comptroller; said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the city of Indianapolis, Marion county, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with number ONE, and giving the date of their issuance, their amount, date of maturity, rate of interest and time and place where said interest shall be payable; said bonds shall be substantially in the following form, tenor and effect; all blanks for numbers and dates are to be properly filled before the issuance thereof:

No. —————. \$1,000.00.

UNITED STATES OF AMERICA,
CITY OF INDIANAPOLIS,
MARION COUNTY, STATE OF INDIANA.
INDIANAPOLIS MARKET HOUSE BONDS OF 1903.

For value received the city of Indianapolis, Indiana, promises to pay to the bearer one thousand (\$1,000) dollars in lawful money of the United States of America, on the first day of ———, 19—, with interest thereon at the rate of three and a half (3½%) per centum per annum, payable semi-annually on the first day of January and the first day of July of each year hereafter, beginning with January, 1904, the first coupon carrying the interest hereof from date to January 1st, 1904, upon the surrender and cancellation of the proper coupons hereto attached; both principal and interest being payable at the banking house of Winslow, Lanier & Company, of Greater New York, State of New York. This bond is one of a series of thirty (30) bonds, numbered from ONE to THIRTY each, inclusive, each of the same date, amount, tenor and effect, and maturing as follows:

1 to 3, inclusive, July 1, 1904.....	\$3,000 00
4 to 6, inclusive, July 1, 1905.....	3,000 00
7 to 9, inclusive, July 1, 1906.....	3,000 00
10 to 12, inclusive, July 1, 1907.....	3,000 00
13 to 15, inclusive, July 1, 1908.....	3,000 00
16 to 18, inclusive, July 1, 1909.....	3,000 00
19 to 21, inclusive, July 1, 1910.....	3,000 00
22 to 24, inclusive, July 1, 1911.....	3,000 00
25 to 27, inclusive, July 1, 1912.....	3,000 00
28 to 30, inclusive, July 1, 1913.....	3,000 00
	\$30,000 00

Which bonds have been issued by the city of Indianapolis in order to raise money to furnish means to expend for building and constructing a roof and other improvements over and upon market square, or market place, in and pursuant to an ordinance duly and legally passed by the Common Council of said city, in strict conformity with, and as authorized by the act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891; and all acts supplementary thereto and amendatory thereof, and all things and acts required by the laws of the State of Indiana and by said ordinances have happened and have been done and performed in and about the

authorization, appropriation, issue and complete execution of this bond, and this bond is certified to be within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and the faith and credit of the city of Indianapolis, Marion county, Indiana, are irrevocably pledged to the payment of the principal and interest of this bond as herein stipulated.

IN WITNESS WHEREOF the Common Council of the city of Indianapolis, Indiana, has caused this bond to be signed by the mayor and city comptroller, and the seal of said city to be affixed thereto and attested by the city clerk, this _____ day of _____, 1903.

Mayor.

City Comptroller.

Attest:

City Clerk.

[SEAL.]

The interest warrants or coupons attached to said bonds shall be authenticated by the signatures of the mayor and city comptroller of said city engraven thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for the interest on said bond from date until the first day of January, 1904.

Sec. 2. That the head of the Department of Finance shall as soon as practicable after the passage of this ordinance advertise for bids or proposals for said bonds by at least one insertion each in the Indianapolis Journal and the Daily Reporter, daily newspapers of general circulation, printed and published in the city of Indianapolis, and in the Commercial and Financial Chronicle, a weekly newspaper of general circulation, printed and published in the State of New York, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the city comptroller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the city comptroller to reject any or all bids, the amount of deposit the bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid or proposal shall be presented to the city comptroller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the city of Indianapolis, Indiana, payable to the order of Armin C. Koehne, city treasurer, for a sum of money which shall equal two and one-half (2½%) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The city comptroller shall continue to receive all bids or proposals therefor at the office of the city comptroller until twelve o'clock noon on the 2d day of March, 1903, at which time and place, and between said hour and two o'clock p. m. of said day he shall open said bids or proposals. The city comptroller shall award said bonds, or if he shall see fit a part or any number thereof, to the highest and best bidder therefor; but said comptroller shall have the full right to reject

any or all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also, in his judgment and discretion, award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of reoffering and readvertisement of said bonds, as hereinafter provided.

Sec. 4. In case the city comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds by the comptroller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying same to the city treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same, and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the city comptroller, as herein provided, the proceeds of said certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof, and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or at the option of the city comptroller at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the office of the city treasurer of said city of Indianapolis, Indiana, on the second day of March, 1903, or upon such other day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 7. The bonds taken and paid for to the satisfaction of the city comptroller shall be binding obligations upon said city of Indianapolis, according to their tenor and effect.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

Which was read a first time and referred to Committee on Finance.

On motion of Mr. Wynne the Council referred back to order of business

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

App. O. No. 1, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be, and is hereby appropriated the sum of five thousand dollars for the use of the Department of Public Health and Charities, to be credited to the account known as "Contagious Disease Fund."

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

MISCELLANEOUS BUSINESS.

Mr. Wahl introduced the following resolution:

Resolution No. 2, 1903: Whereas, Steps have been taken by the officers of the city of Indianapolis for the location and erection of what is commonly known as the pesthouse, near the ground now occupied by the City Hospital, and temporary buildings have been provided at said new location for the treatment of persons having smallpox; and

Whereas, On account of the inadequate provisions made for the treatment of such persons, men, women and children are crowded and kept in the same rooms; and

Whereas, On account of the thickly populated portion of the city bordering upon the place where said pesthouse is now located there is great danger of the spread of smallpox therefrom, and the location thereof will result in a depreciation of at least 33 per cent. in value of the real estate in that vicinity, thereby resulting in a practical confiscation of a portion of such property and working a great injustice to the owners thereof, who are, as a rule, persons of very moderate means; and

Whereas, Said pesthouse was formerly located upon a tract of about eleven acres of ground situated a short distance north of the Indiana-avenue bridge and between Fall creek and the levee west of said creek, which location was not in any way surrounded with residences and there was no danger of the spread of the disease therefrom, and many of the leading physicians of the city have expressed the opinion that the old location was the best suited for a hospital for the treatment of contagious diseases, and that there was danger of the spread of the disease from the present location on account of the thickly populated portion of the city bordering upon it; and

Whereas, By reason of the large tract of ground at the old location a hospital could be erected in the center thereof, making it impossible for residences ever to be erected near enough to it to cause danger of a spread of the disease therefrom; now, therefore, be it

Resolved, By the Common Council of the city of Indianapolis, Indiana, That the Mayor, Board of Public Works and Board of Commissioners of Public Health and Charities be and they are hereby requested to take no further steps looking to the location of a pesthouse upon the present site near the City Hospital, but to take immediate steps looking to the erection of a permanent and adequate hospital building upon the old location north of the Fall creek bridge, and that a building, modern and complete, suitable for the treatment of persons afflicted with smallpox and other contagious diseases, be begun at once upon said last named location, and the work thereon pushed as rapidly as possible to the completion of the same, so that persons afflicted with smallpox can be taken and treated therein without endangering their lives and without bringing them in contact with revolting conditions, and that the plans for such new hospital shall provide for a suitable heating and electric lighting plant in connection with the same, so that such building can be so heated and lighted as to render comfortable, in every way so far as possible, those patients who are treated therein; and be it further

Resolved, That the Common Council now declares that it will, at any time, upon the proper request, appropriate sufficient funds to erect and equip a suitable hospital for the treatment of contagious diseases at the old location north of the Fall creek bridge.

ANDREW H. WAHL.
ED. G. SOURBIER.

Which was read and adopted by the following vote:

Ayes, 13, viz.: Messrs. Berry, Crall, Kelly, Meyer, Moriarity, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer and Wysong.

Noes, 8, viz.: Messrs. Cooper, Eppert, Holliday, McFarland, Negley, Rhodes, Wynne, and President Billingsley.

Mr. Berry introduced the following resolution:

Resolution No. 3, 1903: Whereas, The members of the Common Council of the city of Indianapolis, Indiana, have heard with the deepest feeling of regret of the death of their fellow townsman and former member of the Common Council, Edward E. Bernauer; and

Whereas, We recognize that in his death the city of Indianapolis has lost one of its active and energetic citizens; now, therefore, be it

Resolved, By the Common Council of the city of Indianapolis, Indiana, That we extend our sympathy and condolence to the widow and family of the deceased in this hour of their bereavement; and be it further

Resolved, That these resolutions be spread upon the minutes of the proceedings of the Common Council and that a copy thereof be presented to the widow and family of the deceased.

Which was read and adopted by the following vote :

Ayes, 21, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time :

G. O. No. 85, 1902: An ordinance repealing Vehicle Ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general Vehicle Ordinance providing a license on all vehicles, approved November 27, 1893.

On motion of Mr. Wynne, G. O. No. 85, 1902, was then ordered engrossed, read a third time, and passed by the following vote :

Ayes, 21, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Crall, the following entitled ordinance was taken up and read a second time :

G. O. No. 1, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into between the City of Indianapolis, by and through its Board of Public Works, and The Citizens Heat and Light Company, its successors and assigns, granting the authority and permission to use the streets, alleys, and public places of, and within, the City of Indianapolis, for the purpose of heating water or steam and generating electricity and distributing and supplying hot water, steam and electricity, or either of them, for heat, light or power, or either of them, by means of pipes, conduits, wires and appurtenances underground, and poles, wires and appurtenances overhead, or either or any of them, fixing rates to consumers, and payments to the city, and fixing the terms of franchise, and rights of parties during and at the termination thereof, and fixing the time when the same shall take effect.

On motion of Mr. Crall, G. O. No. 1, 1903, was then ordered engrossed, read a third time, and passed by the following vote :

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 2, viz.: Messrs. Holliday and Shea.

On motion of Mr. Spray, the following entitled ordinance was taken up and read a second time:

G. O. No. 3, 1903: An ordinance prohibiting express wagons and transfer wagons from standing upon certain streets in the city of Indianapolis, Indiana, providing a penalty for the violation thereof and fixing the time the same shall take effect.

On motion of Mr. Spray, G. O. No. 3, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 15, viz.: Messrs. Berry, Cooper, Eppert, Holliday, Kelly, Meyer, Negley, Rhodes, Shea, Spray, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 6, viz.: Messrs. Crall, Moriarity, McFarland, Sourbier, Wahl and Wolsiffer.

On motion of Mr. Spray, the following entitled ordinance was taken up and read a second time:

G. O. No. 79, 1902: An ordinance providing for the change of the name of Walter street to Hansen avenue, and fixing a time when the same shall take effect.

On motion of Mr. Spray, G. O. No. 79, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

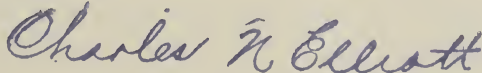
Ayes, 18, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

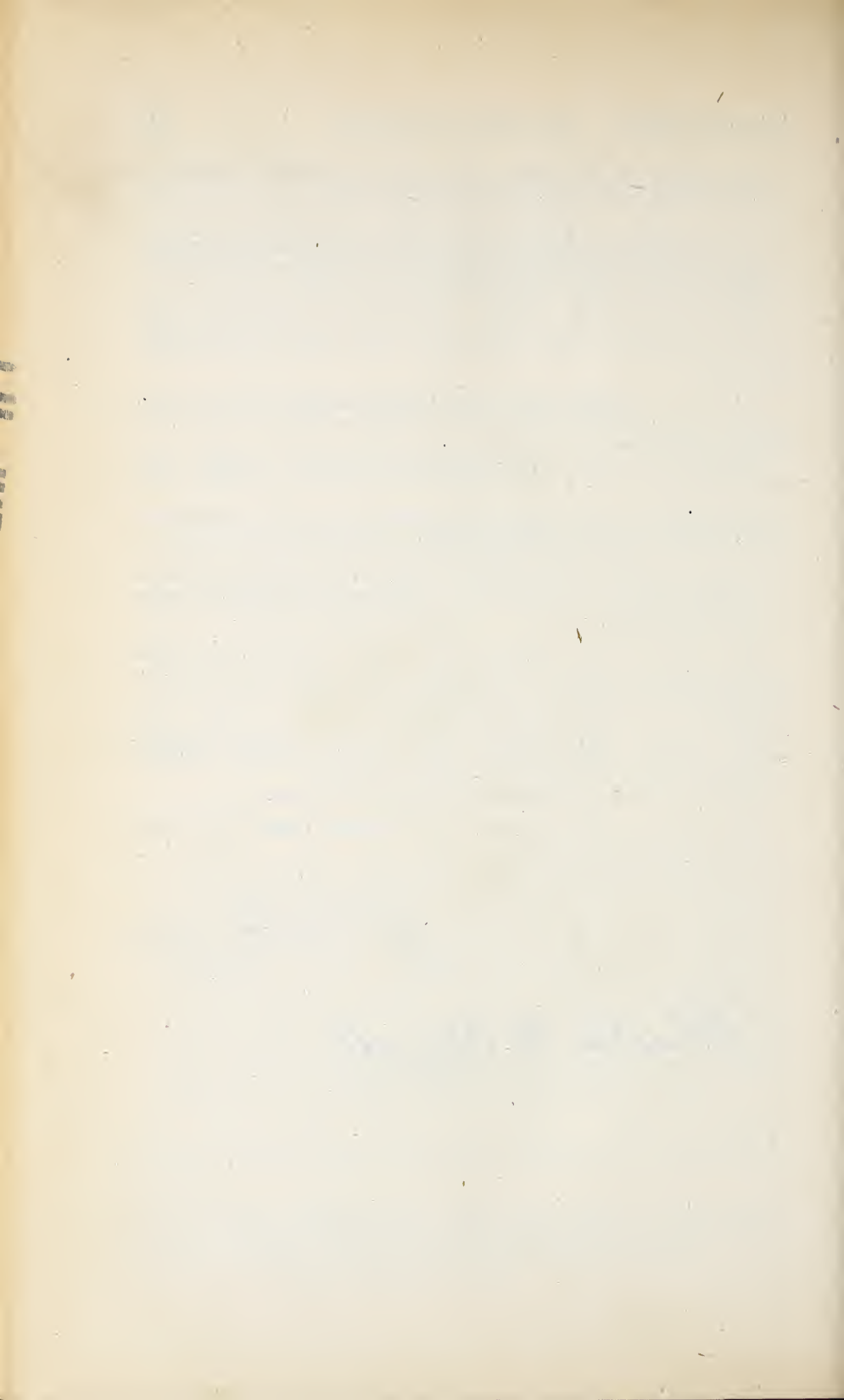
Noes, 3, viz.: Messrs. Cooper, Holliday and McFarland.

On motion of Mr. Berry, the Common Council at 8:40 o'clock p. m. adjourned.


President.

ATTEST:


City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, February 16, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, February 16, 1903, at 8:00 o'clock in regular meeting

Present, James H. Billingsley, President of the Common Council, in the chair, and 19 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, one, viz.: Mr. Holliday.

The Clerk proceeded to read the Journal, whereupon Councilman Sourbier moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, February 10, 1903.

City Clerk, President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

General Ordinance No. 79, 1902: An ordinance providing for the change of the name of Walter Street to Hausen Avenue, and fixing the time when same shall take effect.

General Ordinance No. 1, 1903: An ordinance providing a certain contract and agreement between the city of Indianapolis and the Citizens' Heat and Light Co.

Yours very truly,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, February 10, 1903.

To the President and Members of the Common Council:

Gentlemen—I return herewith without my approval General Ordinance No. 85, 1902, being, “An ordinance repealing vehicle ordinance providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances providing a license on all vehicles, approved November 27, 1893.”

I am constrained to withhold my approval of this ordinance for the following reasons:

1st. The license granted under this ordinance sought to be repealed is the only guaranty to the general public that owners of vehicles operated for hire are reliable and trustworthy. Further, the issuance of such license secures to the city a record of all persons operating vehicles for hire and thus affords to the police department of the city material assistance in the protection of the people against imposition and exorbitant charges.

2d. In fixing the tax levy for the current year, the revenue to be derived from the ordinance sought to be repealed was taken into consideration and I can not bring myself to approve any measure which by destroying estimated revenues may materially embarrass the business of the city for the ensuing year.

Respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
INDIANAPOLIS, February 10, 1903.

To the President and Members of the Common Council:

Gentlemen—I return herewith with my approval General Ordinance No. 3, 1903, being, “An ordinance prohibiting express wagons and transfer wagons from standing upon certain streets in the city of Indianapolis, Indiana, providing a penalty for the violation thereof, and fixing a time when same shall take effect.”

In concurring with the action of the Council in this matter, I desire especially to call your attention to the importance of designating at once some suitable place where vehicles of this character can be allowed to stand, as they are of great public necessity and convenience.

Respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, Ind., February 16, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith present communication from the Department of Public Works, requesting an appropriation of four thousand dollars with which to pay assessment made against the city for the construction of the Michigan Street sewer.

I recommend that an ordinance be passed making the appropriation prayed for.

Respectfully submitted,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board,

INDIANAPOLIS, February 16, 1903.

City Comptroller, City:

Sir—The main sewer in East Michigan Street from Pogue's Run to Rural Street under Improvement Resolution 172, 1901, now being completed and accepted, the city is indebted to the contractor, H. A. Mansfield, in the sum of \$4,000.00.

The Board therefore requests communication with City Council, recommending an appropriation in the above sum to liquidate said indebtedness.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 1, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 11, 1903.

Mr. President:

Your Committee on Finance, to whom was referred Appropriation Ordinance No. 1, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
FRED. W. EPPERT,
B. F. WYSONG,
LEW W. COOPER,
JAMES D. MORIARITY,
JAS. E. BERRY.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 8, 1903: An ordinance authorizing the issue and sale of thirty (30) bonds of one thousand (\$1,000) dollars each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for constructing and erecting a roof and other improvements over and upon Market place; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale; and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 11, 1903.

Mr. President:

Your Committee on Finance, to whom was referred General Ordinance No. 8, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
FRED. W. EPPERT,
LEW W. COOPER.

- Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Spray, on behalf of Committee on Ordinances, to which was referred G. O. No. 7, 1903: An ordinance repealing G. O. No. 82, 1902, entitled, "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the City of Indianapolis, and prescribing a penalty for the violation thereof," and fixing the time the same shall take effect.

Made the following report:

INDIANAPOLIS, February 16, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred General Ordinance No. 7, 1903, has had the same under consideration and recommend that same do pass.

W. P. SPRAY,
W. H. WHEELER,
GUSTAV J. T. MEYER.

Which was read and, on motion of Mr. Spray, concurred in.

Mr. Spray, on behalf of Committee on Ordinances, to which was referred G. O. No. 4, 1903: An ordinance changing the names of Central avenue, Irving avenue, College avenue, and

Maxwell avenue to that of Audubon road; also changing the name of Detroit street to Mozart avenue; also changing the name of Downey avenue to that of Thompson avenue; also changing the name of East street to that of Sheridan avenue; also changing the name of Parkman avenue and Warren street to Catherwood avenue; also changing the name of Orchard street, Parkman avenue and Prescott avenue to Webster avenue; also changing the name of South avenue to that of Good avenue; also changing the name of Perry avenue to Berry avenue; also changing the name of Maple avenue and Pleasant avenue to Bolton avenue; also changing the name of Green avenue to Leslie avenue; also changing the name of Pleasant street to Bancroft avenue; also changing the name of Glenn street to Hiawatha street; also changing the name of Urbana street to Beauty avenue; also changing the name of Wallace street to Lansing street; also changing the name of Wallace street to Orange street; also changing the name of Clyde street to Palmer street; also changing the name of Mankedick street to Nebraska street; also changing the name of Earl street to St. Paul street; also changing the name of English avenue to Thirty-second street; also changing the name of Grande avenue to Thirty-seventh street; also changing the name of Grand avenue to Martindale avenue; also changing the name of Middle street and Huron avenue to Lexington avenue; also changing the name of Lester street to Fletcher avenue; also changing the name of Brown street to Fletcher avenue; also changing the name of Coble street to Cable street; also changing the name of Webb street to Sauley street; also changing the name of Highland street to Bunting street; also changing the name of Laura avenue to Iowa street; also changing the name of Miami street to Vandeman street; also changing the name of St. Elmo street to Quill street; also changing the name of Quincy street to McKimm avenue; also changing the name of Reuben street to Maryland street; also changing the name of Thompson street to Traub avenue; also changing the name of Sharpe street and Cannon street to Trowbridge street; also changing the name of Hawkins street to Dayton street; also changing the name of Sugar street to Worcester avenue; also changing the name of Lowell street to Wilkins street; also changing the name of Scott street to Muskingum street; also changing the name of Graham street to Langley avenue; also changing the name of Oak street to Eddison avenue; also changing the name of Dewey avenue to Kenwood avenue; also changing the name of Johnson street to Fourteenth street; also changing the name of Chester street to Dupont street; also changing

the name of Spencer street to Thirty-first street; also changing the name of Groff avenue to Stout avenue; also changing the name of Stout avenue to Groff avenue; also changing the name of Huron street to Lexington avenue; also changing the name of Hendricks street to New Jersey street; also naming certain streets not heretofore given names; and fixing the time when same shall take effect.

Made the following report:

INDIANAPOLIS, February 16, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred General Ordinance No. 4, 1903, beg leave to report that they have had the same under consideration and recommend that same be amended by striking out Section 3, and that the following sections be changed accordingly; also, by striking out the word Hunt, in Section 48, and inserting the words Reid Place, in lieu thereof.

WM. P. SPRAY,
W. H. WHEELER,
GUSTAV J. T. MEYER.

Which was read and, on motion of Mr. Spray, concurred in.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to which was referred G. O. No. 2, 1903: An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of livery and feed stables, hereafter erected or established in the City of Indianapolis, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 16, 1903.

Mr. President:

We, your Committee on Public Safety and Comfort, to whom was referred General Ordinance No. 2, 1903, have had same under consideration, and recommend that the following be added to ordinance as Section 9: "All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed."

ED. G. SOURBIER,
W. A. RHODES,
FRED. W. EPPERT,
ANDREW H. WAHL,
WM. P. SPRAY.

Which was read and, on motion of Mr. Sourbier, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 5, 1903: An ordinance approving a certain contract granting E. C. Atkins and Company the right to lay and maintain a switch or sidetrack across the first alley

north of South street, and in and along Eddy street, in the City of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, February 16, 1903.

Mr. President:

Your Committee on Railroads, to whom was referred General Ordinance No. 5, 1903, have had the same under consideration and recommend that same do pass.

FRED. W. EPPERT,
B. F. WYSONG,
ED. G. SOURBIER,
W. H. WHEELER.

Which was read and, on motion of Mr. Eppert, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

App. O. No. 2, 1903. An ordinance appropriating the sum of four thousand dollars for the Department of Public Works, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be, and is hereby, appropriated the sum of four thousand (\$4,000.00) dollars to, and for the use of, the Department of Public Works, such sum to be credited to the account "For payment of assessments."

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Sourbier:

G. O. No. 9, 1903. An ordinance to divide the city of Indianapolis, Indiana, into fifteen wards, and to readjust the ward and common council boundaries of such wards, fixing the time when such ordinances shall take effect.

Whereas, By the annexation of new territory to the City of Indianapolis, since the division of said city into fifteen wards heretofore made, it is made necessary and deemed necessary to readjust the ward and common council boundaries of such city, therefore:

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the said city of Indianapolis be and the same

is hereby divided into fifteen (15) wards, and the ward and common council boundaries be and the same are hereby readjusted and fixed as follows, to-wit:

FIRST WARD.

All that part of said city bounded as follows shall be and constitute the First Ward: Commencing at the intersection of the center line of School Street and Thirtieth Street; thence in a southerly direction with the east corporation line to the center line of Massachusetts Avenue and the right-of-way and the Belt R. R., thence in a southwesterly direction along the center line of the Belt R. R. right-of-way, to the center line of Tenth Street; thence in a westerly direction in the center line of Tenth Street to the center line of Massachusetts Avenue; thence in a southwesterly direction in the center line of Massachusetts Avenue to the center line of Cornell Avenue; thence in a northerly direction in the center line of Cornell Avenue to the center line of Fifteenth Street; thence in an easterly direction, in the center line of Fifteenth Street to the center line of the right-of-way of the C., I. & St. L. R. R., thence in a northerly direction in the center line of the right-of-way of the C. & I. R. R. to the center line of Twenty-first Street; thence in an easterly direction in the center line of Twenty-first Street to the center line of Martindale Avenue; thence in the center line of Martindale Avenue to the center line of the right-of-way of the Belt R. R.; thence in an easterly direction in the center line of the Belt R. R. to the center line of Ralston Avenue, produced south; thence north in the center line of Ralston Avenue, and the same produced south, to the center line of Thirtieth Street; thence in an easterly direction and southerly direction, with the corporation line, to the intersection of the center lines of School Street and Thirtieth Street, to the place of beginning.

SECOND WARD.

All that part of said city bounded as follows shall be and constitute the Second Ward: Commencing at the intersection of the center lines of Thirtieth Street and Ralston Avenue; thence in a southerly direction in the center line of Ralston Avenue and the same produced, to the center line of the Belt R. R.; thence in a westerly direction along the center line of the Belt R. R. to the center line of Martindale Avenue; thence in the center line of Martindale Avenue to the center line of Twenty-first Street; thence west in the center line of Twenty-first Street to the center line of C., I. & L. R. R. right-of-way; thence in a southerly direction in the center line of the C., I. & L. R. R. right-of-way to the center line of Fifteenth Street; thence in a westerly direction in the center line of Fifteenth Street to the center line of Central Avenue; thence in a northerly direction in the center line of Central Avenue to the center line of Fifteenth Street, west; thence in a westerly direction in the center line of Fifteenth Street to the center line of Alabama Street; thence in a northerly direction in the center line of Alabama Street to the center line of Fall Creek; thence in a northeasterly direction in the center line of Fall Creek to the center line of Thirtieth Street; thence in an easterly direction in the center line of Thirtieth Street to the center line of Ralston Avenue, the place of beginning.

THIRD WARD.

All that part of said city bounded as follows shall be and constitute the Third Ward: Commencing at the intersection of the center lines of Alabama Street and Fall Creek; thence in a southerly direction in the center line of Alabama Street to the center line of Sixteenth Street; thence in a westerly direction in the center line of Sixteenth Street to

the center line of Capitol Avenue; thence in a southerly direction in the center line of Capitol Avenue to the center line of Pratt Street; thence in a westerly direction in the center line of Pratt Street to the center line of West Street; thence in a northerly direction in the center line of West Street to the center line of Fifteenth Street, produced west; thence with the center line of Fifteenth Street produced, to the center line of Northwestern Avenue; thence in a northerly direction in the center line of Northwestern Avenue to the center line of Fall Creek; thence in a northeasterly direction in the center line of Fall Creek, to the center line of Alabama Street, the place of beginning.

FOURTH WARD.

All that part of said city bounded as follows shall be and constitute the Fourth Ward: Commencing at the intersection of the center lines of Delaware Street and Thirty-eighth Street; thence in a westerly direction, southerly and northerly direction with the corporation line to the intersection of the center lines of Crawfordsville and Lafayette Roads; thence in a southeasterly direction in the center line of the first road west of White River, to a point nine hundred and ninety-two and two-tenths (992 2-10) feet north of the center line of Tenth Street, measured at right angles thereto; thence in an easterly direction and parallel with the north line of Tenth Street, to the center line of White River; thence in a southwesterly direction in the center line of White River to the center line of Tenth Street; thence in an easterly direction in the center line of Tenth Street to the center line of West Street; thence in a northerly direction in the center line of West Street to the center line of Fifteenth Street produced west; thence east with the said center line of Fifteenth Street to the center line of Northwestern Avenue; thence in a northerly direction in the center line of Northwestern Avenue to the center line of Fall Creek; thence in a northeasterly direction in the center line of Fall Creek to a point east of Central Avenue, the same being the corporation line; thence in a northerly and westerly direction along the corporation line to the intersection of the center lines of Delaware Street and Thirty-eighth Street, the place of beginning.

FIFTH WARD.

All that part of the said city bounded as follows shall be and constitute the Fifth Ward: Beginning at the intersection of the center lines of Tenth Street and West Street; thence in a southerly direction in the center line of West Street to the center line of New York Street; thence in a westerly direction in the center line of New York Street to the center line of Blackford Street; thence in a southerly direction in the center line of Blackford Street to the center line of Washington Street; thence in a westerly direction in the center line of Washington Street to the center line of White River; thence in a northwesterly direction in the center line of White River to the center line of Tenth Street; thence in an easterly direction in the center line of Tenth Street to the center line of West Street, the place of beginning.

SIXTH WARD.

All that part of said city bounded as follows shall be and constitute the Sixth Ward: Beginning at the intersection of the center lines of Pratt Street and Pennsylvania Street; thence in a southerly direction in the center line of Pennsylvania Street to the center line of Washington Street; thence in a westerly direction in the center line of Washington Street to the center line of Blackford Street, north; thence in a northerly direction in the center line of Blackford Street to the center line of New York Street; thence in an easterly direction in the center line of New York Street to the center line of West Street; thence in a

northerly direction in the center line of West Street to the center line of Pratt Street; thence in an easterly direction in the center line of Pratt Street to the center line of Pennsylvania Street, the place of beginning.

SEVENTH WARD.

All that part of said city bounded as follows shall be and constitute the Seventh Ward: Beginning at the intersection of the center lines of St. Clair Street and Pine Street; thence in a southerly direction in the center line of Pine Street to the center line of Washington Street; thence in a westerly direction in the center line of Washington Street to the center line of Pennsylvania Street; thence in a northerly direction in the center line of Pennsylvania Street to the center line of St. Clair Street; thence in an easterly direction in the center line of St. Clair Street to the center line of Pine Street, the place of beginning.

EIGHTH WARD.

All that part of said city bounded as follows shall be and constitute the Eighth Ward: Beginning at the center lines of the intersection of Fifteenth Street and Cornell Avenue; thence in a southerly direction in the center line of Cornell Avenue to the center line of Massachusetts Avenue; thence in a northeasterly direction in the center line of Massachusetts Avenue to the center line of the right-of-way of the L. E. & W. R. R.; thence in a southerly direction in the center line of the L. E. & W. R. R. to the center line of St. Clair Street; thence in a westerly direction in the center line of St. Clair Street to the center line of Pennsylvania Street; thence in a northerly direction in the center line of Pennsylvania Street to the center line of Pratt Street; thence in a westerly direction in the center line of Pratt Street to the center line of Capitol Avenue; thence in a northerly direction in the center line of Capitol Avenue to the center line of Sixteenth Street; thence in an easterly direction in the center line of Sixteenth Street to the center line of Alabama Street; thence in a southerly direction in the center line of Alabama Street to the center line of Fifteenth Street; thence in an easterly direction in the center line of Fifteenth Street to the center line of Central Avenue; thence in a southerly direction in the center line of Central Avenue to the center line of Fifteenth Street; thence in an easterly direction in the center line of Fifteenth Street to the center line of Cornell Avenue, the place of beginning.

NINTH WARD.

All that part of said city bounded as follows shall be and constitute the Ninth Ward: Commencing at the center line of the L. E. & W. R. R. right-of-way at the intersection of Tenth Street; thence in a southerly direction in the center line of the L. E. & W. R. R. right-of-way to the center line of St. Clair Street; thence in a westerly direction in the center line of St. Clair Street to the center line of Pine Street; thence in a southerly direction in the center line of Pine Street to the center line of Washington Street; thence in an easterly direction in the center line of Washington Street to the center line of the Belt R. R. right-of-way; thence in a southerly direction in the center line of the Belt R. R. right-of-way to the center line of the C., H. & D. R. R. right-of-way, the same being a point in the corporation line of said city; thence in an easterly, southerly, northerly, and westerly direction with the corporation line of said city to the center lines of Walnut Street and the Belt R. R. right-of-way; thence in a northeasterly direction in the center line of the Belt R. R. right-of-way to the center line of Tenth Street; thence in a westerly direction in the center line of Tenth Street to the center line of the L. E. & W. R. R. right-of-way, the place of beginning.

TENTH WARD.

All that part of said city bounded as follows shall be and constitute the Tenth Ward: Commencing at the intersection of the center lines of Washington Street and Southeastern Avenue; thence in an easterly direction in the center line of Washington Street to the center line of the Belt R. R. right-of-way; thence in a southerly direction in the center line of the Belt R. R. right-of-way to the center of the C., H. & D. R. R. right-of-way, the same being a point of the corporation line of said city; thence in a westerly and southerly direction with the corporation line to the center line of Shelby Street; thence in a northerly direction in the center line of Shelby Street to the center line of Maryland Street; thence in a westerly direction in the center line of Maryland Street to the center line of Cruse Street; thence in a northerly direction in the center line of Cruse Street to the center line of Southeastern Avenue; thence in a northwesterly direction in the center line of Southeastern Avenue to the center line of Washington Street, the place of beginning.

ELEVENTH WARD.

All that part of said city bounded as follows shall be and constitute the Eleventh Ward: Beginning at the intersection of the center lines of Washington Street and Southeastern Avenue; thence in a southeasterly direction in the center line of Southeastern Avenue to the center line of Cruse Street; thence in a southerly direction in the center line of Cruse Street to the center line of Maryland Street; thence in an easterly direction in the center line of Maryland Street to the center line of Shelby Street; thence in a southerly direction in the center line of Shelby Street to the center line of Prospect Street; thence in a westerly direction in the center line of Prospect Street to the center line of Madison Avenue; thence in a northwesterly direction in the center line of Madison Avenue to the center line of Delaware Street; thence in a northerly direction in the center line of Delaware Street to the center line of Washington Street; thence in an easterly direction in the center line of Washington Street to the center line of Southeastern Avenue, the place of beginning.

TWELFTH WARD.

All that part of said city bounded as follows shall be and constitute the Twelfth Ward: Beginning at the intersection of the center lines of Washington Street and Delaware Street; thence in a southerly direction in the center line of Delaware Street to the intersection in the center line of Madison Avenue; thence in the center line of Madison Avenue to the center line of Ray Street; thence in a westerly direction in the center line of Ray Street to the center line of White River; thence in a northerly direction in the center line of White River to the center line of Washington Street; thence in an easterly direction in the center line of Washington Street to the center line of Delaware Street, the place of beginning.

THIRTEENTH WARD.

All that part of said city bounded as follows shall be and constitute the Thirteenth Ward: Beginning at the intersection of the center lines of Prospect and Shelby Streets; thence in a southerly direction in the center line of Shelby Street to the southern corporation line of said city; thence in a westerly direction along the southern corporation line to the center of White River; thence in a northerly direction in the center line of White River to the center line of Ray Street; thence in an easterly direction in the center line of Ray Street to the center line of Madison Avenue; thence in a southeasterly direction in the center

line of Madison Avenue to the center line of Prospect Street; thence in an easterly direction in the center line of Prospect Street to the center line of Shelby Street, the place of beginning.

FOURTEENTH WARD.

All that part of said city bounded as follows shall be and constitute the Fourteenth Ward: Beginning at the intersection of the center lines of White River and Maryland Street, produced west; thence in a southerly direction along the center line of White River to the center line of the Belt R. R. right-of-way, the same being a point in the corporation line of said city; thence in a westernly, southernly and northernly direction with the corporation line to the center line of Oliver Avenue and Belmont Avenue; thence in a northernly direction in the center line of Belmont Avenue to the center line of Maryland Street; thence in an easterly direction in the center line of Maryland Street and the same produced in a straight line to the center line of Harding Street; thence in an easterly direction in a straight line, to the place of beginning.

FIFTEENTH WARD.

All that part of said city bounded as follows shall be and constitute the Fifteenth Ward: Commencing at the intersection of the center lines of Sheffield Avenue and the first road west of White River; thence in a southeasterly direction in the center line of the first road west of White River to a point nine hundred and ninety-two and two tenths (992 2-10) feet north of the center line of Tenth Street measured at right angles thereto; thence in an easterly direction and parallel to the north line of Tenth Street to the center line of White River; thence in a southwesterly and southeasterly direction in the center line of White River to the center line of Maryland Street produced west; thence in a westernly direction with the north boundary line of the Fourteenth Ward, previously described, to the center line of Belmont Avenue; thence in a southernly direction in the center line of Belmont Avenue to the center line of Oliver Avenue, the same being a point in corporation line of said city; thence in a westernly, northernly and easterly direction with the corporation line to the center line of the first road west of White River; thence in a southeasterly direction along the center of the first road west of White River, to the center of Sheffield Avenue, the place of beginning.

Which was read a first time and referred to Committee on Elections.

By Mr. Sourbier:

G. O. No. 10, 1903. An ordinance providing for the change of the name of Elm Avenue to Tennyson Avenue, and fixing the time when the same shall take effect.

Section 1: Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the name of Elm Avenue be changed to Tennyson Avenue. And that the same shall hereafter be known and designated as Tennyson Avenue.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to Committee on Ordinances.

By Mr. Cooper:

G. O. No. 11, 1903. An ordinance regulating the delivery and unloading of brick for building purposes upon the streets or public highways of the city of Indianapolis, and fixing a penalty for the violation of the same.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That all brick delivered or unloaded upon the streets or highways of the city of Indianapolis must be hacked or corded, at the time of delivery or unloading.

Sec. 2. Any driver violating the provisions of this ordinance, upon conviction thereof, shall be fined in any sum not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars. And each delivery shall constitute a separate offense.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication, one day each week for two consecutive weeks in the Daily Reporter, a daily newspaper of general circulation, printed and published in the city of Indianapolis.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 5, 1903. An ordinance approving a certain contract granting E. C. Atkins and Company the right to lay and maintain a switch or sidetrack across the first alley north of South street, and in and along Eddy street, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 5, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Cooper, Crall, Eppert, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 3, viz.: Messrs. Berry, Kelly and Moriarity.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 1, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 1, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 8, 1903: An ordinance authorizing the issue and sale of thirty (30) bonds of One Thousand (\$1,000) Dollars each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for constructing and erecting a roof and other improvements over and upon market place; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale; and fixing a time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 8, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 15, viz.: Messrs. Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 5, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, and Wahl.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 2, 1903: An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of livery and feed stables, hereafter erected or established in the city of Indianapolis, fixing a penalty for the violation thereof, providing for the publication thereof, and fixing a time when the same shall take effect.

On motion of Mr. Sourbier, G. O. No. 2, 1903, was then ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Spray, the following entitled ordinance was taken up and read a second time:

G. O. No. 4, 1903: An ordinance changing the names of Central avenue, Irving avenue, College avenue, and Maxwell avenue to that of Audubon Road; also changing the name of Detroit street to Mozart avenue; also changing the name of Downey avenue to that of Thompson avenue; also changing the name of East street to that of Sheridan avenue; also changing the name of Parkman avenue and Warren street to Catherwood avenue; also changing the name of Orchard street, Parkman avenue and Prescott avenue to Webster avenue; also changing the name of South avenue to that of Good avenue; also changing the name of Perry avenue to Berry avenue; also changing the name of Maple avenue and Pleasant avenue to Bolton avenue; also changing the name of Green avenue to Lesley

avenue; also changing the name of Pleasant street to Bancroft avenue; also changing the name of Glenn street to Hiawatha street; also changing the name of Urbana street to Beauty avenue; also changing the name of Wallace street to Lansing street; also changing the name of Wallace street to Orange street; also changing the name of Clyde street to Palmer street; also changing the name of Mankedick street to Nebraska street; also changing the name of Earl street to St. Paul street; also changing the name of English avenue to Thirty-second street; also changing the name of Grande avenue to Thirty-seventh street; also changing the name of Grand avenue to Martindale avenue; also changing the name of Middle street and Huron avenue to Lexington avenue; also changing the name of Lester street to Fletcher avenue; also changing the name of Brown street to Fletcher avenue; also changing the name of Coble street to Cable street; also changing the name of Webb street to Saulcy street; also changing the name of Highland street to Bunting street; also changing the name of Laura avenue to Iowa street; also changing the name of Miami street to Vandeman street; also changing the name of St. Elmo street to Quill street; also changing the name of Quincy street to McKimm avenue; also changing the name of Reuben street to Maryland street; also changing the name of Thompson street to Traub avenue; also changing the name of Sharpe street and Cannon street to Trowbridge street; also changing the name of Hawkins street to Dayton street; also changing the name of Sugar street to Worcester avenue; also changing the name of Lowell street to Wilkins street; also changing the name of Scott street to Muskingum street; also changing the name of Graham street to Langley avenue; also changing the name of Oak street to Eddison avenue; also changing the name of Dewey avenue to Kenwood avenue; also changing the name of Johnson street to Fourteenth street; also changing the name of Chester street to Dupont street; also changing the name of Spencer street to Thirty-first street; also changing the name of Groff avenue to Stout avenue; also changing the name of Stout avenue to Groff avenue; also changing the name of Huron street to Lexington avenue; also changing the name of Hendricks street to New Jersey street; also naming certain streets not heretofore given names; and fixing the time when same shall take effect.

On motion of Mr. Spray, G. O. No. 4, 1903, was then ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 32, 1902: An ordinance providing for the appointment of an Inspector of Plumbing and House Drainage, prescribing his qualifications, powers, duties and salary, and providing for the appointment of a Board of Registration and Examination, prescribing the manner of licensing master plumbers, providing for license fees, prescribing the mode and manner of plumbing and house drainage in the city of Indianapolis; prescribing the penalties for the violation thereof and providing for the publication thereof, and fixing the time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 32, 1902, was amended as recommended by committee report, as submitted to Council June 2, 1902.

On motion of Mr. Negley, G. O. No. 32, 1902, was then ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Spray, the following entitled ordinance was taken up and read a second time:

G. O. No. 7, 1903: An ordinance repealing G. O. No. 82, 1902, entitled, "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis and prescribing a penalty for the violation thereof," and fixing the time the same shall take effect.

On motion of Mr. Spray, G. O. No. 7, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

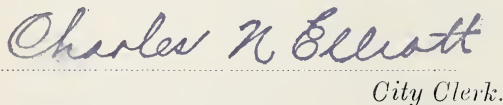
Ayes, 15, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wysong, and President Billingsley.

Noes, 5, viz.: Messrs. Cooper, Rhodes, Shea, Sourbier, and Wheeler.

On motion of Mr. Crall, the Common Council at 9:20 o'clock p. m. adjourned.


President.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, March 2, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, March 2, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council, in the chair, and 19 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, one, viz.: Mr. Moriarity.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT.

City of Indianapolis.

INDIANAPOLIS, February 20, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 2, 1903: "An ordinance regulating the location or establishment of livery and feed stables hereafter erected or established in the city of Indianapolis, fixing a penalty for the violation thereof, providing for the publication thereof and fixing a time when the same shall take effect."

G. O. No. 5, 1903: "An ordinance approving a certain contract granting E. C. Atkins & Co. the right to lay and maintain a switch or sidetrack across the first alley north of South street, and in and along Eddy street, in the city of Indianapolis, Ind."

G. O. No. 8, 1903: "An ordinance authorizing the issue and sale of thirty bonds of \$1,000.00 each, to raise money to expend for erecting a roof and other improvements upon the Market Place."

App. O. No. 1, 1903: "An ordinance appropriating the sum of \$5,000.00 for the Department of Public Health and Charities, and fixing the time when the same shall take effect."

Very truly yours,

C. A. BOOKWALTER,
Mayor.

INDIANAPOLIS, February 26, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 4, 1903: "An ordinance changing the names of certain streets and providing names for others in the city of Indianapolis."

Very truly yours,

C. A. BOOKWALTER,
Mayor.

INDIANAPOLIS, February 26, 1903.

To the President and Members of the Common Council:

Gentlemen—I return herewith, without my approval, G. O. No. 32, 1902, being "An ordinance providing for the appointment of an inspector of plumbing and house drainage; also providing for the appointment of a board of registration and examination."

I recognize that there exists in Indianapolis a necessity for supervision of plumbing, but I can not bring myself to approve the ordinance in question for the reason that I believe that the proper safeguards have not been provided for the protection of property-owners. Also from the further fact that in no portion of the ordinance is the right conferred upon a property owner to appeal from any decision or finding of the inspector provided for in this ordinance.

The working sections of the bill are not objectionable, but there exists in my mind sufficient uncertainty about the real meaning of other sections as to render it inadvisable to approve this measure.

Very truly yours,

C. A. BOOKWALTER,
Mayor.

INDIANAPOLIS, February 26, 1903.

To the President and Members of the Common Council:

Gentlemen—I return herewith, without my approval, G. O. No. 7, 1903, being "An ordinance repealing G. O. No. 82, 1902, entitled 'An ordinance regulating and locating the position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis and prescribing a penalty for violation thereof,' and fixing the time the same shall take effect."

I can not approve this ordinance because I feel that in view of the fact that your honorable body has recently passed an ordinance prohibiting the standing of express wagons or other vehicles maintained for hire on any of the streets adjacent to the Court House that it would be a marked backward step to permit this ordinance to become effective.

I am conversant with the necessity which exists for the loading and unloading in certain hours by market gardeners; also with the necessity of providing certain hours for delivery of their products, and

have been given to understand that the ordinance in question was passed primarily for the introduction of another ordinance fixing such hours.

In this connection I would suggest that such an ordinance be prepared fully protecting market gardeners by the insertion of the provisions granting the relief asked for by such gardeners, and such parts of G. O. No. 82, 1902, as would be in conflict therewith could be repealed without taking away from the city the power to regulate the use of the market space in so far as the standing thereon of horses is concerned.

Very truly yours,

C. A. BOOKWALTER,
Mayor.

INDIANAPOLIS, March 2, 1903.

To the President and Members of the Common Council:

Gentlemen—I desire to call your attention to the ordinance now pending before your honorable body providing for the issuance of \$100,000 of bonds to be used in the construction of a boulevard system in the city of Indianapolis, and to urge upon you the importance to the city to have immediate and favorable action upon such ordinance.

As all of you are doubtless aware, the United States Government has but recently decided to purchase a large tract of ground northeast of the city, and I believe that the present is the best time to demonstrate the willingness of the people of Indianapolis to contribute from their own means toward the upbuilding of this city.

It is not contemplated that the amount of money asked for in the ordinance in question will be sufficient to provide for the completion of a boulevard to the army post site, but I feel that unless immediate steps are taken toward the commencement of such boulevard that the growth of the city to the north will within a short time render it impossible to secure possession of lands, which are absolutely necessary to the construction of that part of such boulevard lying within and immediately north of the present city limits. A comprehensive boulevard system built in connection with and as a complement to our park system, will prove one of the greatest factors not only in the beautification, but in the development of the entire city.

Feeling that assurance should be given that all of the money provided in such ordinance will not be expended in any one portion of the city, I desire at this time to again repeat what has heretofore been said that should such bonds be issued, a liberal portion of such appropriation (the amount to be determined by your honorable body in a subsequent ordinance), will be expended in the development of that portion of the city lying immediately north of Garfield Park along the present channel of Pleasant Run.

I take it that this is not a sectional question, but one in which every public official should act with a broad and comprehensive idea of doing that which is best for the general good; therefore, I urge that further action on this ordinance be not delayed, in order that the necessary plans of the Park Board can be prepared and work on both boulevards be commenced during the coming spring. I remain,

Very truly yours,

C. A. BOOKWALTER,
Mayor.

Which were read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, March 2, 1903.

To the President and Members of the Common Council:

Gentlemen—Your honorable body is herewith informed that in my opinion the Finance Department is in great need of better facilities for the safe preservation of important records and valuable papers.

I therefore recommend the passage of an ordinance appropriating the sum of one thousand dollars to be credited to the "Furniture and Fixtures Account," Department of Public Works, which sum, or so much thereof as may be necessary, shall be used in the purchase of a large burglar and fireproof safe for the City Comptroller's office.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, February 1, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith submit my report of the accounts of the city for the fiscal year ending December 31st, 1902, exhibiting revenues, receipts and expenditures, and the sources from which the revenues and funds are derived.

The bonded debt of the city on January 1st, 1902, amounted to \$2,446,600.00. By reason of the annexation of the town of Irvington, in March, 1902, the city was compelled to assume the payment of the bonded debt of said town, amounting to \$19,000.00, making a total bonded debt of \$2,465,600.00.

During the year bonds amounting to \$44,600.00 matured and were paid, leaving the bonded debt January 1st, 1903, \$2,421,000.00. Of the \$44,600.00 bonded debt paid during the year, \$39,000.00 was for city debt proper, and \$5,600.00 suburban bonds, \$2,500.00 of the last named amount being Town of Irvington bonds.

Under the act of the General Assembly of the State of Indiana, approved March 8th, 1901, creating a Board of Sinking Fund Commissioners and providing for a city sinking fund, the Common Council levied a special tax of two cents on each \$100.00 of taxable property returned for taxation for city purposes for the year 1901, payable in the year of 1902, the proceeds of such special tax amounting to the sum of \$24,599.57.

During the year the Sinking Fund Commissioners drew warrants upon said fund in favor of the City Comptroller amounting to \$23,600.00, to be applied in the payment of maturing bonds, leaving \$21,000.00 of the matured bonds to be paid out of the General Fund.

I respectfully call your attention to the following tables, giving detailed statement of receipts and expenditures, bonded debt, and maturity of such bonds by years.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

TABLE No. 1.

Synopsis of Receipts and Expenditures, 1902.

GENERAL FUND.

Cash available January 1, 1902.....		\$27,981 11
Received from taxes	\$932,607 90	
Received from sundry sources.....	308,583 91	
Total receipts, 1902		\$1,241,191 81
Total to be accounted for		\$1,269,172 92
Paid current expense	\$1,159,883 98	
Paid permanent improvements.....	47,391 35	
Total ordinary expenditures...	\$1,207,275 33	
Paid redemption of bonds	\$21,000 00	
Total extraordinary expendi- tures	\$21,000 00	
Total expenditures.....		\$1,228,275 33
Available cash, General Fund, Jan- uary 1, 1903.....		\$40,897 59

SPECIAL FUND

(Fire Department and City Hospital Bond issue.)

Cash balance January 1, 1902.....	\$65,310 28	
Paid permanent improvements.....	58,438 80	
Cash available January 1, 1903		\$6,871 48

TABLE No. 2.
Current Receipts, 1902.

FEES.		
City Civil Engineer.....	\$3,753	80
City Comptroller.....	4,705	25
East Market.....	2,240	85
South Side Market.....	614	43
Scales, Weights and Measures.....	664	95
Pay patients, City Hospital.....	1,192	77
		\$13,172 05
LICENSE.		
Auction.....	\$240	00
Dray and Express.....	280	00
Dog.....	4,943	00
Exhibition.....	710	00
Hack.....	375	00
Hotel solicitors.....	75	00
Huckster.....	4,380	00
Liquor.....	133,250	00
Pawnbroker.....	1,800	00
Peddler.....	513	00
Riding gallery.....	135	00
Shooting gallery.....	75	00
Transient.....	50	00
Vehicle.....	45,932	75
		\$192,758 75
MISCELLANEOUS.		
Brightwood Waterworks.....	\$2,580	32
Cleaning private sewers.....	195	10
Cutting weeds.....	135	00
Conscience Fund.....	75	
Franchises—Central Union Telephone Co.....	6,000	00
New Telephone Co.....	6,000	00
Indianapolis Clean Street Co.....	128	02
Indianapolis Light and Power Co.....	18,470	76
Indianapolis Street Railway Co.....	30,000	00
Indianapolis & Eastern R'y Co.....	276	15
L. G. & F. R'y Co.....	281	75
Union Traction Co.....	62	08
Fines and fees, City Court.....	6,439	25
Fire Force receipts.....	461	90
Haughville hall rent.....	520	00
Irvington cash balance.....	315	56
Market leases.....	17,376	71
Police Force receipts.....	13	51
Parks—Sale of privileges, etc.....	1,973	14
Penalties collected by Treasurer on public improvements.....	4,321	95
Sale of old bridge lumber, stone, scrap iron, etc.....	1,453	03
Sale of horses—Board of Public Works.....	30	00
Sale of horses—City Dispensary.....	30	00
Special Police Fund.....	161	75
Street openings and vacations.....	2,754	00
Tomlinson hall rent.....	2,660	00
Taxes.....	932,607	90
Repairing permanently-improved streets.....	11	73
Warrants covered back into General Fund.....	65	00
		\$1,035,261 01
Total receipts.....		
		\$1,241,191 81

TABLE No. 3.

Appropriations, Expenditures and Balances, 1902.

FUND.	Appropriations.	Expenditures.	Balance.
FINANCE DEPARTMENT.			
Assessment of city property	\$2,500 00	\$2,500 00	.....
Books, stationery and supplies ...	1,800 00	1,787 14	\$12 86
Emergency bonds, 1901, No. 1 to 5 inclusive	5,000 00	5,000 00	.....
*Fire Department and City Hospital bonds, 15 to 28 inclusive..	14,000 00	5,000 00	9,000 00
Improvement bonds of 1896, 61 to 70 inclusive.	10,000 00	10,000 00	.....
*Mt. Jackson school bond	100 00	.....	100 00
*West Indianapolis school bond .	2,000 00	.....	2,000 00
West Indianapolis funding bonds	1,000 00	1,000 00	.....
Interest and exchange—			
City bonded indebtedness.....	91,385 35	91,380 40	4 95
Brightwood bonded indebt's...	840 00	840 00	.....
Haughville bonded indebt's....	640 00	640 00	.....
Irvington bonded indebt's.....	582 75	582 75	.....
Mt. Jackson bonded indebt's....	18 00	15 00	3 00
West Indpls. bonded indebt's..	4,260 00	4,170 00	90 00
Memorial Day.	200 00	175 35	24 65
Miscellaneous expense city offices.	2,950 00	2,948 54	146 00
Special Police Judge.....	150 00	125 50	24 50
Salaries	56,536 43	56,524 98	11 45
Scales weights and measures, expense account.	1,000 00	683 45	316 55
Totals.	\$194,962 53	\$183,373 11	\$11,589 42
*\$11,000 of these bonds redeemed with sinking fund money.			
LAW DEPARTMENT.			
Change of venue cases.....	\$500 00	\$496 25	\$3 75
J'dgm'ts, compromises and costs .	22,500 00	22,126 59	373 41
Office rent and expense.....	240 00	237 32	2 68
Transcripts, printing of briefs, stationery, etc.	400 00	394 33	5 67
Totals.....	\$23,640 00	\$23,254 49	\$385 51
DEPARTMENT OF PUBLIC PARKS.			
Improvement:—			
Garfield	\$6,020 00	\$6,020 00	.....
Brookside	5,000 00	4,999 99	01
Highland Square	500 00	499 54	46
Riverside	12,000 00	11,999 94	06
Highland Place Centers	500 00	500 00	.....
Maintenance:—			
Fletcher Place and E. Eleventh	1,000 00	1,000 00	.....
Hendricks, Fletcher and Oriole	1,150 00	1,149 48	52
St. Clair Sq're and Ft. W'ne Tri	1,150 00	1,149 23	77
Greenlawn	2,565 00	2,564 94	06
Garfield.	10,000 00	9,999 99	01

TABLE No. 3—Continued.

FUND.	Appropriations.	Expenditures.	Balance.
Maintenance <i>Continued.</i>			
Military	\$3,320 00	\$3,319 99	\$0 01
Brookside	5,000 00	4,999 18	82
Riverside	16,000 00	15,999 60	40
Highland Square	1,500 00	1,500 00	.....
McCarty Place	350 00	350 00	.....
Morton Place....	850 00	849 63	37
Spades Place	1,000 00	999 97	03
Indianola	1,500 00	1,499 93	07
University Square	1,540 00	1,539 54	46
Morris	550 00	549 80	20
Highland Place Centers	200 00	199 86	14
Miscellaneous receipts fund	2,608 15	2,607 72	43
New Parks, purchase real estate	265 38	.....	265 38
Salaries, office expenses and supplies	7,330 00	7,329 96	04
Totals	\$81,898 53	\$81,628 29	\$270 24
BOARD OF PUBLIC WORKS.			
Assessments, erroneous	\$500 00	\$500 00	.....
Assessments, payment of	500 00	171 63	\$328 37
Assessment roll, clerks' salaries	5,100 00	5,093 50	650 00
Blank books, printing and stationery	3,500 00	3,087 64	412 36
Bridges	15,000 00	14,998 69	1 31
Bridge gang, pay roll	8,500 00	8,245 52	254 48
Brightwood Waterworks	3,500 00	3,446 87	53 13
Cisterns	2,000 00	1,975 00	25 00
City Civil Engineer, accounts ..	1,500 00	1,472 80	27 20
City Civil Engineer, salaries.....	29,199 11	29,199 11	.....
City hall, accounts	4,300 00	4,244 40	55 60
City hall, janitors	1,800 00	1,800 00	.....
Electric lights	110,000 00	110,000 00	.....
Fountains and wells	800 00	646 90	153 10
Furniture and fixtures	500 00	486 79	13 21
Garbage collection and delivery of Garbage and night-soil disposal, and Sellers Farm	31,900 00	31,900 00	.....
Gaslights	10,900 00	10,900 00	.....
Incidental expenses	2,500 00	2,415 98	84 02
Indianapolis Street Railway Co., Emergency Repair Fund	500 00	377 35	122 65
Public buildings and repairs	1,000 00	.....	1,000 00
Pest House, purchase of real estate and construction of buildings	1,000 00	997 95	2 05
Sewers	13,500 00	4,307 60	9,192 40
Payment of city benefits	1,500 00	361 62	1,138 38
Payment of appraisers	1,500 00	.....	1,500 00
Sprinkling unimproved streets....	1,500 00	1,072 50	427 50
Telephones	36,000 00	33,315 54	2,684 46
Sewer gang, pay roll	340 00	326 02	13 98
	10,000 00	9,986 76	13 24

TABLE No. 3—Continued.

FUND.	Appropriations.	Expenditures.	Balance.
Sweeping and cleaning improved streets.....	\$60,000 00	\$59,823 00	\$177 00
Street maintenance and repair of.	25,000 00	24,996 29	3 71
Streets, repairing, permanently improved.....	25,000 00	24,759 40	240 60
Street repair accounts.....	5,000 00	4,999 98	02
Street and alley openings and vacations	900 00	798 20	101 80
Tomlinson Hall, accounts.....	2,000 00	1,996 08	3 92
Tomlinson Hall, janitors.....	2,500 00	2,374 75	125 25
Vapor lights.....	4,800 00	4,674 82	125 18
Water.....	90,000 00	90,000 00	.....
Totals	\$514,039 11	\$495,752 69	\$18,286 42
BOARD OF PUBLIC SAFETY.			
<i>Board's Office.</i>			
Incidental expenses.....	\$500 00	\$479 55	\$20 45
Printing and stationery.....	200 00	83 45	116 55
<i>East Market.</i>			
Cleaning buildings and grounds..	1,000 00	900 00	100 00
Current expenses.....	200 00	157 52	42 48
Gas and electricity.....	3,500 00	3,500 00	.....
Printing and stationery.....	30 00	11 75	18 25
Repairs to buildings.....	500 00	462 07	37 93
Salaries.....	4,200 00	4,150 00	50 00
<i>South Side Market.</i>			
Current expenses.....	100 00	80 65	19 35
Fuel.....	150 00	64 10	85 90
Gas and electricity.....	150 00	150 00	.....
Repairs to buildings.....	100 00	91 55	8 45
Salaries.....	900 00	900 00	.....
<i>Fire Force.</i>			
Fire Alarm Telegraph Dep't.....	1,000 00	987 65	12 35
Fuel, gas and coal.....	3,000 00	2,288 74	711 26
Furniture.....	750 00	720 79	29 21
Harness and repairs.....	500 00	470 00	30 00
Horse feed.....	8,600 00	8,331 88	268 12
Horses, purchase of new.....	2,000 00	1,885 00	115 00
Horseshoeing.....	2,500 00	2,358 85	141 15
Hose, purchase of.....	5,000 00	4,916 75	83 25
Illuminating gas.....	1,300 00	1,268 66	31 34
Miscellaneous supplies.....	1,500 00	1,028 17	471 83
New apparatus.....	1,500 00	812 38	687 62
Printing and stationery.....	150 00	149 00	1 00
Repairs to apparatus.....	2,750 00	2,009 88	740 12
Repairs to buildings.....	2,500 00	2,479 79	20 21
Repairs to cisterns.....	400 00	341 00	59 00
Fay roll, fire force.....	181,176 25	170,316 97	10,859 28
Soda and acids.....	500 00	208 21	291 79
Telephone service.....	1,000 00	999 96	04

TABLE No. 3—Continued.

FUND.	Appropriations.	Expenditures.	Balance.
<i>Station House.</i>			
Building repairs.....	\$300 00	\$191 64	\$108 36
Bicycles and repairs.....	300 00	205 53	94 47
Cow pounds.....	100 00	77 00	23 00
Electrical department.....	500 00	495 02	4 98
Emergency police service.....	500 00	500 00	.....
Fuel, gas and coal.....	1,300 00	789 72	510 28
Gas and electric light.....	1,500 00	1,309 70	190 30
Horse feed.....	700 00	656 00	44 00
Horses, purchase of new.....	500 00	375 00	125 00
Incidental expenses.....	1,500 00	1,387 96	112 04
Police Force, pay roll.....	156,601 50	156,504 65	96 85
Prisoners' meals.....	1,500 00	1,333 40	166 60
Secret service.....	400 00	138 12	261 88
Telephone service.....	800 00	725 03	74 97
Wagons and repairs.....	200 00	111 95	88 05
Totals.....	\$394,357 75	\$377,405 04	\$16,952 71
BOARD OF PUBLIC HEALTH AND CHARITIES.			
<i>City Dispensary.</i>			
Drugs.....	\$1,800 00	\$1,766 21	\$33 79
Dry goods.....	200 00	200 00	.....
Gas.....	20 00	6 00	14 00
Groceries.....	40 00	40 00	.....
Incidentals.....	300 00	233 68	16 32
Laundrying.....	70 00	70 00	.....
Printing and stationery.....	120 00	94 75	25 25
Surgical supplies.....	200 00	195 91	4 09
Telephone service.....	50 00	47 34	2 66
Transportation (bicycle repairs)..	50 00	50 00	.....
Salaries.....	3,579 80	3,575 25	4 55
<i>City Hospital.</i>			
Drugs.....	1,800 00	1,796 92	3 08
Dry goods.....	1,600 00	1,600 00	.....
Electrical supplies.....	100 00	99 92	08
Engine-room supplies.....	200 00	199 10	90
Furniture.....	300 00	296 75	3 25
Fuel.....	5,000 00	3,013 25	1,986 75
Gas, artificial.....	200 00	135 80	64 20
Hardware.....	150 00	149 77	23
Horseshoeing.....	75 00	73 20	1 80
Incidentals.....	400 00	358 64	41 36
Laundry supplies.....	300 00	299 30	70
Paints and painting.....	300 00	295 19	4 81
Nursing.....	2,100 00	2,100 00	.....
Plumbing supplies.....	300 00	218 60	81 40
Printing and stationery.....	150 00	150 00	.....
Provisions.....	11,000 00	10,998 46	1 54
Queenware.....	250 00	248 20	1 80
Repairs.....	500 00	499 94	06
Salaries.....	9,353 25	9,349 40	3 85
Stable supplies.....	275 00	275 00	.....
Surgical supplies.....	1,100 00	1,099 57	43
Telephone service.....	64 00	49 83	14 17

TABLE No. 3—Continued.

FUND.	Appropriations.	Expenditures.	Balance.
<i>Board of Health.</i>			
Ambulance and driver.....	\$1,200 00	\$1,116 60	\$83 40
Cutting weeds.....	400 00	399 75	25
Horse board.....	400 00	312 00	88 00
Incidentals.....	550 00	267 02	282 98
Laboratory.....	500 00	498 15	1 85
Printing and stationery.....	300 00	300 00	
Prevention of contagious diseases.	16,500 00	16,499 88	12
Public charity.....	1,600 00	1,600 00	
Salaries.....	6,208 50	6,205 00	3 50
Telephone service.....	50 00	27 33	22 67
Totals.....	\$69,655 55	\$66,861 71	\$2,793 84
<i>*BOARD OF PUBLIC WORKS.</i>			
Erection of 3 new engine houses..	\$3,967 40	\$3,949 45	\$17 95
Remodeling of engine houses.....	80 90		80 90
Purchase of real estate for engine houses.....	46 60		46 60
Erection of wing to main building, City Hospital.....	6,365 57	5,569 62	795 95
Steam heating apparatus.....	2,174 64	608 84	1,565 80
Plumbing, gasfitting and electric wiring.....	405 92	341 73	64 19
Repairs to elevator.....	500 00	450 00	50
Miscellaneous repairs.....	700 00	166 32	533 68
Two new 80-H. P. boilers.....	90 00		90 00
One 600-light engine dynamo....	1,938 62	1,549 84	388 78
<i>BOARD OF PUBLIC SAFETY— FIRE FORCE.</i>			
Fire alarm system.....	45,805 33	45,803 00	2 33
Two service trucks.....	300 00		300 00
One fuel wagon.....	250 00		250 00
One tool wagon.....	300 00		300 00
One combination chemical truck and hose wagon.....	1,100 00		1,100 00
<i>DEPARTMENT OF FINANCE.</i>			
Expense of bond issue.....	1,285 30		1,285 30
Totals.....	\$65,310 28	\$58,438 80	\$6,871 48

* Special Fund—Fire Department and City Hospital Bonds.

RECAPITULATION.

Total available cash January 1, 1902.....	\$65,310 28
Total amount expended January 1, 1902, to December 31, 1902.....	58,438 80
Total available cash January 1, 1903.....	\$6,871 48

TABLE No. 3—Continued.

TOTALS—GENERAL FUND.

DEPARTMENTS.	Appropriation.	Expended.	Balance.
Finance	\$194,962 53	\$183,373 11	\$11,589 42
Law.....	23,640 00	23,254 49	385 51
Public Works.....	514,039 11	495,752 69	18,286 42
Public Parks	81,898 53	81,628 29	270 24
Public Safety.....	394,357 75	377,405 04	16,952 71
Public Health and Charities	69,655 55	66,861 71	2,793 84
Totals.....	\$1,278,553 47	\$1,228,275 33	\$50,278 14

TOTALS—SPECIAL FUND.

DEPARTMENTS.	Appropriation.	Expended.	Balance.
Finance.....	\$1,285 30		\$1,285 30
Public Works.....	16,269 65	12,635 80	3,633 85
Public Safety.....	47,755 33	45,803 00	1,952 33
Totals.....	\$65,310 28	\$58,438 80	\$6,871 48

RECAPITULATION.

Amount of warrants outstanding January 1, 1902.....	\$61,935 36
Amount of warrants issued Jan'y 1 to Dec. 31, 1902.....	1,286,714 13
Total	\$1,348,649 49
Amount of warrants redeemed	1,279,132 49
Amount of warrants outstanding December 31, 1902.....	\$69,517 00
Cash on hand December 31, 1902.....	\$117,286 07
Warrants outstanding	69,517 00
Cash available.....	\$47,769 07
Balance Fire Department and City Hospital bonds	\$6,871 48
Actual cash available General Fund. January 1, 1903.	\$40,897 59

TABLE No. 4.
Statement of Expenditures, 1902.

	Current Expenses, Including Salaries.	Extraordi- nary Dis- bursements	Expendi- tures in Per- manent Im- provements	Totals.
DEPARTMENT OF FINANCE.				
Redemption of bonds.....		\$21,000 00		
Interest and exchange.....	\$97,628 15			
Assessing.....	2,500 00			
Miscellaneous.....	5,719 98			
Salaries.....	32,704 98			\$159,553 11
DEPARTMENT OF PUBLIC WORKS				
Expenditures.....	468,360 81		\$27,391 88	
Salaries.....	7,920 00			503,672 69
DEPARTMENT OF PUBLIC PARKS				
Improvements.....			19,999 47	
Maintenance.....	54,098 86			
Office expense.....	1,636 98			
Salaries.....	5,892 98			81,628 29
DEPARTMENT OF PUBLIC SAFETY.				
Salaries and office expense.....	5,363 00			
Fire Force.....	201,573 68			
Police Force.....	164,800 72			
East Market.....	9,181 34			
South Side Market.....	1,286 30			382,205 04
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Salaries.....	9,305 00			
Contagious diseases.....	16,499 88			
Board of Health—Office expense	4,520 85			
City Hospital.....	33,306 84			
City Dispensary.....	6,329 14			69,961 71
DEPARTMENT OF LAW.				
Salaries and office expense.....	8,237 32			
Expenditures.....	23,017 17			31,254 49
Totals.....	\$1,159,883 98	\$21,000 00	\$47,391 35	\$1,228,275 33
Statement of expenditures, Spe- cial Fund—				
Department of Public Works.....			12,635 80	
Department of Public Safety.....			45,803 00	
			\$58,438 80	

TABLE No. 5.
Statement of Expenditures, 1901.

	Current Expenses, Including Salaries.	Extraordi- nary Dis- bursements	Expendi- tures in Per- manent Im- provements	Totals.
DEPARTMENT OF FINANCE.				
Redemption of bonds.....		\$27,100		
Redemption of temporary loans and interest.....		385,399 74		
Interest and exchange.....	\$92,161 38			
Special election, Fifteenth Ward		509 42		
Assessing.....	2,500 00			
Miscellaneous.....	5,158 48			
Elections.....	11,870 78			
Salaries	32,440 23			\$557,140 03
DEPARTMENT OF PUBLIC WORKS				
Expenditures (see Table No. 3)...	469,526 94		\$23,007 44	
Salaries	7,920 00			500,454 38
DEPARTMENT OF PUBLIC PARKS				
Improvements			40,927 60	
Maintenance	52,866 20			
Office expense.....	2,353 48			
Salaries	4,800 00			100,947 28
DEPARTM'T OF PUBLIC SAFETY.				
Salaries and office expense.....	5,472 84			
Fire Force.....	198,237 25			
Police Force.....	160,341 47			
East Market.....	9,009 10			
South Side Market.....	1,196 87			374,257 53
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Salaries	8,765 50			
Contagious Diseases.....	7,194 68			
Board of Health—office expense	2,894 02			
City Hospital.....	32,171 93			
City Dispensary.....	6,227 53			57,253 66
DEPARTMENT OF LAW.				
Salaries and office expense	7,439 50			
Expenditures (see Table No. 3)...	8,746 76			16,186 26
Totals.....	\$1,129,294 94	\$413,009 16	\$63,935 04	\$1,606,239 14
STATEMENT OF EXPENDITURES SPECIAL FUND.				
Department of Finance			\$298 70	
Department of Public Works ..			40,536 35	
Department of Public Safety ...			38,619 67	
Total			\$79,454 72	

TABLE No. 6.
Statement of Expenditures, 1900.

	Current Expenses, Including Salaries.	Extraordi- nary Dis- bursements	Expendi- tures in Per- manent Im- provements	Totals.
FINANCE DEPARTMENT.				
Redemption of bonds.....		\$17,100 00		
Redemption of temporary loans and interest.....		178,955 86		
Interest and exchange.....	\$86,775 64			
Assessing.....	2,500 00			
Salaries.....	31,823 63			
Miscellaneous.....	6,149 86			\$323,304 99
DEPARTMENT OF PUBLIC WORKS				
Expenditures.....	430,510 89		\$126,877 30	
Salaries.....	7,912 00			565,300 19
DEPARTMENT OF PUBLIC PARKS				
Improvements.....			54,392 17	
Maintenance.....	41,269 08		5,475 83	
Office expense.....	1,343 78			
Salaries.....	4,800 00			107,280 86
DEPARTMENT OF PUBLIC SAFETY.				
Salaries and office expense.....	5,395 69			
Fire Force.....	175,869 17			
Police Force.....	149,723 21			
East Market.....	8,213 90			
South Side Market.....	2,272 04			341,474 01
DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.				
Salaries.....	8,027 50			
Contagious Diseases.....	3,461 33			
Board of Health—office expense.	3,607 18			
City Hospital.....	34,484 30			
City Dispensary.....	5,792 42			55,372 73
DEPARTMENT OF LAW.				
Salaries and office expense.....	7,340 00			
Expenditures (see Table No. 3)...	5,504 16			12,844 16
Totals.....	\$1,022,775 78	\$196,055 86	\$186,745 30	\$1,405,576 94

TABLE No. 7.

Tax Levy on \$100 of Taxable Property.

YEAR.	State.	County.	School.	City.	T'wnship.	Totals.
1891.....	\$0.35	\$0.32	\$0 27	\$0.60	\$0.01	\$1.55
1892.....	.35	.36	.25	.60	.01	1.57
1893.....	.32	.39	.32 $\frac{1}{2}$	.64 $\frac{1}{2}$	.01	1.69
1894.....	.32	.39	.34	.60	.01	1.66
1895.....	.30 $\frac{1}{6}$	.39 $\frac{3}{4}$	.34	.60	.01	1.65
1896.....	.29 $\frac{2}{3}$	.40 $\frac{1}{3}$	.34	.60	.01	1.65
1897.....	.29 $\frac{2}{3}$	.40 $\frac{1}{3}$	.42	.60	.01	1.73
1898.....	.29 $\frac{2}{3}$	.40 $\frac{1}{3}$	.44	.70	.01	1.85
1899.....	.29 $\frac{2}{3}$	.38 $\frac{1}{3}$	.50	.60	.02	1.80
1900.....	.29	.37 $\frac{1}{3}$	.50	.73	.02	1.92
1901.....	.29 $\frac{2}{3}$	.37 $\frac{1}{3}$	.51	.75	.02	1.95
1902.....	.29 $\frac{2}{3}$	.37 $\frac{1}{3}$	.51	.88	.02	2.08

TABLE No. 8.

Statement of Taxable Property and Taxes Collected.

YEAR.	Assessed Valuation.	Taxes Collected.
1891.....	\$93,595,930	\$541,598 85
1892.....	98,230,242	566,267 61
1893.....	103,317,880	608,796 48
1894.....	104,215,385	648,430 17
1895.....	105,637,860	608,672 12
1896.....	108,285,915	671,959 67
1897.....	117,746,670	706,017 54
1898.....	119,856,680	785,094 03
1899.....	123,295,840	699,127 42
1900.....	123,753,030	876,667 44
1901.....	129,184,950	932,607 90
1902.....	132,927,210	Payable in 1903

TABLE No. 9.

*City Sinking Fund.**Central Trust Co., of Indianapolis, Sinking Fund Depository.*

RECEIPTS.

Proceeds of two cent special tax levy	\$24,599 57
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DISBURSEMENTS.

July 12, 1902. West Indpls. bonds and interest, due July 15, 1902. . . .	\$2,060 00	
July 23, 1902. Irvington bonds and interest, series B, due Aug. 1, 1902 . . .	1,030 00	
July 23, 1902. Irvington bonds and interest, series C, due Aug. 1, 1902 . . .	512 50	
Aug. 21, 1902. Irvington bonds and interest, series No. 1, due Aug. 24, 1902	1,025 00	
Sept. 17, 1902. Mt. Jackson bonds and interest, due Sept. 24, 1902 . . .	103 00	
Dec. 23, 1902. Emergency bonds of 1901, Nos. 6 to 15, due Jan. 1, 1903 . . .	10,000 00	
Dec. 23, 1902. Fire Department and City Hospital bonds, of 1901, Nos. 15 to 23, due Jan. 1, 1903.	9,000 00	
Total disbursements	23,730 50	
Balance January 1, 1903.		\$869 07

TABLE No. 10.—*Tabulated Statement of Bonded Debt, January 1, 1903.*

TITLE OF BONDS.		Date of Issue.	Date of Maturity.	Par Value of Bond.	No. Out-stand- ing.	Aggre- gate Amount.	Rate of Inter- est.	Interest Payable.
Indianapolis Funding Bonds		Jan. 1, 1890	Jan. 1, 1910	\$500	90	\$45,000	4	July 1, Jan. 1
" Southern Park Purchase, Refunding, 1894.		Jan. 26, 1894	Jan. 26, 1924	500	219	108,500	4	July 1, Jan. 1
" Refunding Bonds of 1894		Mar. 1, 1894	Mar. 1, 1924	1,000	600	600,000	4	July 1, Jan. 1
" " " (Series C)		June 30, 1894	June 30, 1924	1,000	300	300,000	4	June 30, Dec. 30
" Refunding Bonds (Series D, 1875) of 1895		July 1, 1895	July 1, 1905	1,000	200	200,000	4	July 1, Jan. 1
" Park Improvement Bonds of 1897		Apr. 1, 1897	Jan. 1, 1927	1,000	350	350,000	4	July 1, Jan. 1
" Public Safety Bonds of 1897		June 1, 1897	Jan. 1, 1927	1,000	150	150,000	4	July 1, Jan. 1
" Refunding Bonds of 1899		Jan. 1, 1899	Jan. 1, 1909	1,000	110	110,000	3½	July 1, Jan. 1
" Bridge Bonds of 1899		Sept. 1, 1899	\$15,000 annually com. Jan. 1, 1905.	1,000	150	150,000	3½	July 1, Jan. 1
" Fire Dept. and City Hospital Bonds of 1901		Mar. 1, 1901	\$14,000 annually Jan. 1.	1,000	115	115,000	3½	July 1, Jan. 1
" Emergency Bonds of 1901		Dec. 14, 1901	\$10,000 semi-annually, Jan. 1 and July 1	1,000	180	180,000	3½	July 1, Jan. 1
BONDED DEBT ASSUMED BY REASON OF ANNEXATION.								
Brightwood Waterworks.		Feb. 15, 1895	Feb. 15, 1905	1,000	4	4,000	6	Feb. 15, Aug. 15
"		Feb. 15, 1895	Feb. 15, 1910	1,000	5	5,000	6	Feb. 15, Aug. 15
"		Feb. 15, 1895	Feb. 15, 1915	1,000	5	5,000	6	Feb. 15, Aug. 15
Haughville School House.		July 15, 1895	July 15, 1915	300	1	300	5	Jan. 15, July 15
"		July 15, 1895	July 15, 1915	500	1	500	5	Jan. 15, July 15
"		July 15, 1895	July 15, 1915	1,000	12	12,000	5	Jan. 15, July 15
Mt. Jackson School House		Sept. 24, 1894	\$100 annually Sept. 24	100	2	200	6	Mar. 24, Sep. 24
West Indianapolis School House		July 15, 1896	\$2,000 annually Jul. 15	1,000	4	4,000	6	Jan. 15, July 15
"		Nov. 3, 1890	July 15, 1905	1,000	2	2,000	6	Jan. 15, July 15
"		July 1, 1891	\$2,000 annually Jul. 1, 1906 to 1909	1,000	8	8,000	6	July 1, Jan. 1
"		July 15, 1892	July 15, 1907 to 1912	1,000	12	12,000	6	Jan. 15, July 15
"		Feb. 5, 1894	Feb. 5, 1908	1,000	10	10,000	6	Feb. 5, Aug. 5
"		Feb. 5, 1894	Feb. 5, 1909	1,000	10	10,000	6	Feb. 5, Aug. 5
"		Mar. 15, 1895	\$1,000 annually Mar. 15, 1902 to 1910.	1,000	8	8,000	6	Mar. 15, Sep. 15
"		July 6, 1896	\$1,000 annually Jul. 6, 1912 to 1917	1,000	6	6,000	6	Jan. 6, July 6
"		Dec. 21, 1896	Dec. 21, 1916	1,000	8	8,000	6	June 21, Dec. 21
Irrington School House (Series B)		Aug. 1, 1895	\$1,000 annually Aug. 1	1,000	4	4,000	6	Feb. 1, Aug. 1
" (Series C)		July 31, 1897	\$500 annually Jul. 31	500	2	1,000	5	Jan. 31, July 31
" (Series D)		Sept. 16, 1899	\$1,000 Sept. 1, 1907.	500	7	1,000	3½	Mar. 1, Sep. 1
"			\$1,000 Sept. 1, 1908.	500	7	1,000	3½	Mar. 1, Sep. 1
"			\$1,500 Sept. 1, 1909.	500	7	1,500	3½	Mar. 1, Sep. 1
"		Aug. 1, 1900	\$1,000 annually, beginning Aug. 1, 1910.	1,000	8	8,000	4	Feb. 1, Aug. 1
						\$111,500		
Total City Debt contracted by the city proper.						\$2,309,500 00		
Total City Debt contracted by reason of annexations.						111,500 00		
Total Bonded Debt.						\$2,421,000 00		

TABLE No. 11.
Statement Showing the Maturity by Years of the Bonded Debt.

Year.	TITLE OF BONDS.	Date of Maturity.	Amount.	Total.
1903	West Indianapolis funding bonds of 1895	March 15	\$1,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1889	July 15	2,000 00	
	Irvington school house bonds of 1897	July 31	500 00	
	" " " 1895	Aug. 1	1,000 00	
	Mt. Jackson school house bonds of 1894	Sept. 24	100 00	\$14,600 00
1904	Emergency bonds of 1901	Jan. 1	\$10,000 00	
	Fire Department and City Hospital bonds of 1901	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1895	March 15	1,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1889	July 15	2,000 00	
	Irvington school house bonds of 1897	July 31	500 00	
	Irvington school house bonds of 1895	Aug. 1	1,000 00	
	Mt. Jackson school house bonds of 1894	Sept. 24	100 00	38,600 00
1905	Bridge bonds of 1899	Jan. 1	\$15,000 00	
	Emergency bonds of 1901	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901	Jan. 1	14,000 00	
	Brightwood water works bonds of 1895	Feb. 15	4,000 00	
	West Indianapolis funding bonds of 1895	March 15	1,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1890	July 15	2,000 00	
	Irvington school house bonds of 1895	Aug. 1	1,000 00	57,000 00
1906	Bridge bonds of 1899	Jan. 1	\$15,000 00	
	Emergency bonds of 1901	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901	Jan. 1	14,000 00	

TABLE No. 11—Continued.

Year.	TITLE OF BONDS.	Date of Maturity.	Amount.	Total.
1906	<i>—Continued.</i>			
	West Indianapolis funding bonds of 1895	March 15	\$1,000 00	
	West Indianapolis school house bonds of 1891	July 1	2,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	Irvington school house bonds of 1895	Aug. 1	1,000 00	\$53,000 00
1907	Bridge bonds of 1899	Jan. 1	\$15,000 00	
	Emergency bonds of 1901	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds.	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1895	March 15	1,000 00	
	West Indianapolis school house bonds of 1891	July 1	2,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1892	July 15	2,000 00	
	Irvington school house bonds of 1899	Sept. 1	1,000 00	55,000 00
1908	Bridge bonds of 1899	Jan. 1	\$15,000 00	
	Emergency bonds of 1901	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1894	Feb. 5	10,000 00	
	West Indianapolis funding bonds of 1895	March 15	1,000 00	
	West Indianapolis school house bonds of 1891	July 1	2,000 00	
	Emergency bonds of 1901	July 1	10,000 00	
	West Indianapolis school house bonds of 1892	July 15	2,000 00	
	Irvington school house bonds of 1899	Sept. 1	1,000 00	65,000 00
1909	Refunding bonds of 1899	Jan. 1	\$110,000 00	
	Bridge bonds of 1899	Jan. 1	15,000 00	
	Emergency bonds of 1901	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901	Jan. 1	14,000 00	
	West Indianapolis funding bonds of 1894	Feb. 5	10,000 00	

TABLE No. 11—Continued.

Year.	TITLE OF BONDS.	Date of Maturity.	Amount.	Total.
1909	—Continued.			
	West Indianapolis funding bonds of 1895.....	March 15	\$1,000 00	
	West Indianapolis school house bonds of 1891.....	July 1	2,000 00	
	Emergency bonds of 1901.....	July 1	10,000 00	
	West Indianapolis school house bonds of 1892.....	July 15	2,000 00	
	Irvington school house bonds of 1899.....	Sept. 1	1,500 00	\$175,500 00
1910	Funding bonds of 1890.....	Jan. 1	\$45,000 00	
	Bridge bonds of 1899.....	Jan. 1	15,000 00	
	Emergency bonds of 1901.....	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901.....	Jan. 1	14,000 00	
	Brightwood waterworks bonds of 1895.....	Feb. 15	5,000 00	
	West Indianapolis funding bonds of 1895.....	March 15	1,000 00	
	Emergency bonds of 1901.....	July 1	10,000 00	
	West Indianapolis school house bonds of 1892.....	July 15	2,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	103,000 00
	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
	Emergency bonds of 1901.....	Jan. 1	10,000 00	
1911	Fire Department and City Hospital bonds of 1901.....	Jan. 1	14,000 00	
	Emergency bonds of 1901.....	July 1	10,000 00	
	West Indianapolis school house bonds of 1892.....	July 15	2,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	52,000 00
	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
	Emergency bonds of 1901.....	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901.....	Jan. 1	3,000 00	
	West Indianapolis Funding bonds of 1896.....	July 6	1,000 00	
	West Indianapolis school house bonds of 1892.....	July 15	2,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	32,000 00
	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
1912	Emergency bonds of 1901.....	Jan. 1	10,000 00	
	Fire Department and City Hospital bonds of 1901.....	Jan. 1	3,000 00	
	West Indianapolis Funding bonds of 1896.....	July 6	1,000 00	
	West Indianapolis school house bonds of 1892.....	July 15	2,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	
	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	

TABLE No. 11—Continued.

Year.	TITLE OF BONDS.	Date of. Maturity.	Amount.	Total.
1913	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
	West Indianapolis funding bonds of 1896.....	July 6	1,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	\$17,000 00
1914	Bridge bonds of 1899.....	Jan. 1	\$15,000 00	
	West Indianapolis funding bonds of 1896.....	July 6	1,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	17,000 00
1915	Brightwood waterworks bonds of 1895.....	Feb. 15	\$5,000 00	
	Refunding bonds (Series D) of 1895.....	July 1	200,000 00	
	West Indianapolis funding bonds of 1896.....	July 6	1,000 00	
	Haughville school house bonds of 1895.....	July 15	12,800 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	219,800 00
1916	West Indianapolis funding bonds of 1896.....	July 6	\$1,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	
	West Indianapolis funding bonds of 1896.....	Dec. 21	8,000 00	10,000 00
1917	West Indianapolis funding bonds of 1896.....	July 6	\$1,000 00	
	Irvington school house bonds of 1900.....	Aug. 1	1,000 00	2,000 00
1924	Indianapolis Southern Park purchase of 1894.....	Jan. 26	\$109,500 00	
	Indianapolis refunding bonds of 1894.....	March 1	600,000 00	
	Indianapolis refunding bonds of 1894 (Series C).....	June 30	300,000 00	1,009,500 00
1927	Park Improvement bonds of 1897.....	Jan. 1	\$350,000 00	
	Public Safety bonds of 1897.....	Jan. 1	150,000 00	500,000 00
	Total.....			\$2,421,000 00

STATE OF INDIANA, }
MARION COUNTY. } ss:

George T. Breunig, City Comptroller of the city of Indianapolis, being duly sworn, deposes and says that the above and foregoing is a full, true, and complete report of the finances of the city of Indianapolis, and a true statement of the matters therein contained, as he verily believes.

GEO. T. BRÜENIG.

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 28th day of February, 1903.

MAURICE W. JUDAY,
Notary Public.

My commission expires Sept. 12, 1906.

Which was referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 2, 1903: An ordinance appropriating the sum of four thousand dollars for the Department of Public Works, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, February 27, 1903.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to whom has been referred App. O. No. 2, 1903, beg leave to report that they have had same under consideration, and recommend that same be passed.

T. A. WYNNE.
LEW W. COOPER.
B. F. WYSONG,
J. H. CRALL.
FRED. W. EPPERT.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of a majority of the Committee on Finance, to which was referred G. O. No. 47, 1902: An ordinance authorizing the issue and sale of one hundred (100) bonds of one thousand dollars (\$1,000) each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for boulevard purposes; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale; and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, March 2, 1903.

To the President and Members of the Common Council:

Gentlemen—Your Committee on Finance, to which was referred G. O. No. 47, 1902, relating to the issue and sale of one hundred (100)

bonds of one thousand (\$1,000) dollars each, of the city of Indianapolis, Indiana, for boulevard purposes, after due consideration, begs leave to report that said ordinance be amended by substituting therefor the following:

G. O. No. 47, 1902: An ordinance authorizing the issue and sale of one hundred (100) bonds of one thousand (\$1,000) dollars each, of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for boulevard purposes; prescribing the time and manner of advertising the sale of said bonds and of the receipt of bids for same, together with the mode and terms of sale, and fixing a time when the same shall take effect.

Whereas, It is deemed prudent and advisable and for the best interests of the city of Indianapolis to lay out, build and construct certain boulevards; and

Whereas, There are not now and will not be sufficient funds in the treasury of the city with which to lay out, build and construct said boulevards, it is necessary for the city of Indianapolis to borrow the sum of one hundred thousand (\$100,000) dollars, and issue and sell its bonds in that amount, payable from the general revenues and funds of the city, or the sinking fund of said city, or as may be required by law; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the head of the Department of Finance of said city be and is hereby authorized, for the purpose of procuring means to so lay out, build and construct boulevards, to prepare and sell (100) new bonds of the city of Indianapolis, Marion county, Indiana, of the sum of one thousand (\$1,000) dollars each, which bonds shall bear date of May 1st, 1903, and shall be numbered one to one hundred, inclusive, and shall be designated "Indianapolis Boulevard Bonds of 1902," and shall bear interest at the rate of three and a half (3½%) per centum per annum, which interest shall be payable semi-annually on the first day of January and the first day of July of each year, beginning with July 1st, 1903, and said installments of interest shall be evidenced by interest coupons attached to said bonds; said bonds and said coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Company, of Greater New York, State or New York; said bonds shall be signed by the Mayor and City Comptroller of said city of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and said bonds shall mature thirty (30) years from the date thereof with coupons attached thereto for the semiannual installments of interest at the rate of three and a half (3½%) per centum per annum, payable January 1st and July 1st of each year, beginning with July 1st, 1903, with the first coupon on each bond being for two (2) months' interest, from May 1st to July 1st, 1903; and said interest coupons shall bear the lithographic facsimile of the signatures of the Mayor and City Comptroller; said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the city of Indianapolis, Marion county, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with number one, and giving the

date of their issuance, their amount, date of maturity, rate of interest and time and place where said interest shall be payable; said bonds shall be substantially in the following form, tenor and effect: all blanks for numbers and dates are to be properly filled before the issuance thereof.

No. _____

\$1,000.00

UNITED STATES OF AMERICA,
CITY OF INDIANAPOLIS,
MARION COUNTY, STATE OF INDIANA,
INDIANAPOLIS BOULEVARD BONDS OF 1903.

For value received the city of Indianapolis, Indiana, promises to pay to the bearer one thousand (\$1,000) dollars in lawful money of the United States of America, on the first day of, 19...., with interest thereon at the rate of three and a half (3½%) per centum per annum, payable semiannually on the first day of January and the first day of July of each year hereafter, beginning with July 1st, 1903, the first coupon carrying the interest hereof from date to July 1st, 1903, upon the surrender and cancellation of the proper coupons hereto attached; both principal and interest being payable at the banking house of Winslow, Lanier & Company, of Greater New York, State of New York. This bond is one of a series of one hundred (100) bonds numbered from one to one hundred each, inclusive, each of the same date, amount, maturity, tenor and effect, which bonds have been issued by the city of Indianapolis in order to raise money to furnish means to expend for laying out, building and constructing boulevards in and pursuant to an ordinance duly and legally passed by the Common Council of said city in strict conformity with, and as authorized, the act of the General Assembly of the State of Indiana entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891; and all acts supplementary thereto and amendatory thereof, and all things and acts required by the laws of the State of Indiana and said ordinances have happened and have been done and performed in and about the authorization, appropriation, issue and complete execution of this bond, and this bond is certified to be within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and the faith and credit of the city of Indianapolis, Marion county, Indiana, are irrevocably pledged to the payment of the principal and interest of this bond as herein stipulated.

In Witness Whereof, the Common Council of the city of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Comptroller, and the seal of said city to be affixed thereto and attested by the City Clerk, this day of, 1903.

.....
Mayor.

.....
City Comptroller.

Attest:
.....
City Clerk.

(Seal)

The interest warrants or coupons attached to said bonds shall be authenticated by the signatures of the Mayor and City Comptroller of said city engraven thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for the interest on said bond from date until the first day of July, 1903.

Sec. 2. That the head of the Department of Finance shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each in the Indianapolis Journal and the Daily Reporter, daily newspapers of general circulation, printed and published in the city of Indianapolis, and in the Commercial and Financial Chronicle, a weekly newspaper of general circulation, printed and published in the State of New York, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the City Comptroller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Comptroller to reject any or all bids, the amount of deposit the bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid or proposal shall be presented to the City Comptroller sealed, and shall be accompanied by a duly certified check upon some responsible banks of the city of Indianapolis, Indiana, payable to the order of Armin C. Koehne, City Treasurer, for a sum of money which shall equal two and one-half (2½%) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The City Comptroller shall continue to receive all bids or proposals therefor at the office of the City Comptroller until twelve o'clock, noon, on the twenty-fifth day of April, 1903, at which time and place and between said hour and two o'clock, p. m., of said day he shall open said bids or proposals. The City Comptroller shall award said bonds, or if he shall see fit a part or any number thereof, to the highest and best bidder therefor; but said Comptroller shall have the full right to reject any or all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of reoffering and readvertisement of said bonds, as hereinafter provided.

Sec. 4. In case the City Comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to readvertise said bonds for sale until said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds by the Comptroller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the Comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such nonpayment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to readvertise said bonds for sale at once, and shall, in such event, retain said check, and

shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Comptroller, as herein provided, the proceeds of said certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or, at the option of the City Comptroller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of said city of Indianapolis, Indiana, on the first day of May, 1903, or upon such other day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the Comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder, or bidders, shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 7. The bonds taken and paid for to the satisfaction of the City Comptroller shall be binding obligations upon said city of Indianapolis, according to their tenor and effect.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

And that when so amended said ordinance do pass.

Respectfully submitted,

T. A. WYNNE.

J. H. CRALL.

FRED. W. EPPERT.

LEW W. COOPER.

Which was read.

Mr. Berry, on behalf of a minority of the Committee on Finance, to which was referred G. O. No. 47, 1902.

Made the following report:

INDIANAPOLIS, March 2, 1903.

To the President and Members of the Common Council:

Gentlemen—The undersigned minority of your Committee on Finance, to which committee was referred G. O. No. 47, 1902, the same being an ordinance entitled "An ordinance authorizing the issue and sale of one hundred bonds of \$1,000 each of the city of Indianapolis, etc., to raise money to expend for boulevard purposes," hereby report that they have had the same under consideration and recommend that said ordinance do not pass.

In presenting our objections to this ordinance, we wish it distinctly understood that we are not opposed to the construction of boulevards

in the city of Indianapolis, but, on the other hand, we declare that we are in favor of such improvements when the financial condition of the city is such as to justify their construction. We believe that at some future time a boulevard at the place named in this ordinance will be constructed, and that when so constructed it will add to the beauty of the city as well as to the comfort of a part of its citizens; but when we look over the city and view its present condition, we can not reach any other conclusion than that there are other improvements that ought to be made and which are absolutely necessary before we begin upon the construction of boulevards. Our pavements upon streets that have been improved during the last ten years have been grossly neglected during the past year. These improvements were constructed at the cost of the property owners abutting upon them, and in some cases the costs were so great as to amount almost to a confiscation of the real estate. Heretofore these modern pavements have been repaired by the city out of the funds raised by general taxation, but it is known that during the past year but very little repair of this kind has been made, and the neglect to make repairs during the past year has allowed these pavements to become almost a total ruin. We believe that when the property owner has borne the burden of the construction of these modern improvements, that thereafter the general public should keep them in repair, and if by reason of the neglect of the public officials these improvements become destroyed, we feel that the general public and not the abutting property owner should bear the burden of the restoration of the improvement. Two cases of this kind have already been considered by the Board of Public Works. The repair of the pavement upon Virginia avenue has been so neglected as to allow this pavement to become almost totally ruined. An attempt to make a new improvement upon this street at the expense of the property owners has been defeated by remonstrance. The pavement upon East Washington street is in a similar condition, and many other of the pavements throughout the city have become so out of repair as that great sums of money will be needed to restore them to a proper condition.

We believe that we should first preserve the modern pavements upon our streets already improved before we begin the construction of expensive boulevards which will be used principally for pleasure purposes. We believe that a bond issue should be provided for at once to raise funds for the purpose of restoring these modern improvements, which, by reason of failure to repair, have been allowed to sink into decay. To raise money for the purpose of restoring these pavements will raise the bonded debt of the city to its limit. The city can not restore these pavements and build boulevards also; therefore, we believe that the restoration of these pavements is far more important than the construction of boulevards, and for that reason alone we believe that this ordinance should not pass.

And furthermore, we believe that the southern portion of this city has not had its fair proportion of parks and public improvements. This ordinance provides for the construction of a boulevard at the extreme northern portion of the city alone. We believe that when the construction of a boulevard is once begun that it should be divided equally between the northern and southern portions of the city. The construction of such a street along Pleasant Run leading to Garfield Park is of far greater necessity than the construction of the boulevard contemplated by the ordinance in question. For these reasons we recommend that this ordinance do not pass.

J. D. MORIARTY,

J. E. BERRY,

Minority Committee on Finance.

Which was read.

Mr. Berry moved that the minority report be substituted for the majority report.

Mr. Crall moved to lay Mr. Berry's motion on the table.

Which motion was carried by the following vote:

Ayes, 12, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Spray, Wheeler, Wynne, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Shea, Wahl, Warweg, Wolf-siffer and Wysong.

Mr. Wynne moved that the majority report be concurred in.
Which motion carried.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

App. O. No. 3, 1903: An ordinance appropriating the sum of one thousand dollars to and for the Department of Public Works, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated the sum of one thousand dollars, to and for the Department of Public Works, to be credited to the account known as the "Furniture and Fixtures" account. Such sum so appropriated, or as much thereof as may be necessary, shall be used by said Department of Public Works in the purchase of a large burglar and fireproof safe for use in the office of the City Comptroller.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Warweg:

G. O. No. 12, 1903: An ordinance to amend Section 1 of G. O. No. 82, 1902, entitled "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof."

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That Section 1 of G. O. No. 82, 1902, entitled "An

ordinance regulating the location and position of vehicles and treatment of animals hitched thereto, at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof," be amended to read as follows:

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it shall be unlawful for any person having charge of any wagon, with or without a draft animal hitched thereto, used for the purpose of bringing merchandise, produce or any other commodity to any of the city markets of the city of Indianapolis, to place, stand or occupy a position with such wagon or animal at such market, in any other position, place or manner than the following:

The back end of such wagon shall be placed next to the curb or the sidewalk or passageway of such market; and every draft animal or all animals hitched thereto shall, after 9 o'clock a. m., be detached from such wagon and removed from the precincts of such market, and the shafts or pole of such wagon shall either be detached from the wagon or raised up and securely fastened so as to offer no obstruction to traffic.

Sec. 2. Any person violating any of the provisions of this ordinance shall be fined in any sum not less than one and not more than ten dollars.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication one day each week for two successive weeks in the Daily Reporter, a newspaper of general circulation, printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Ordinances.

By Mr. Holliday:

G. O. No. 13, 1903: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the crossing of Georgia street, by the tracks of said company, and fixing a time for its taking effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Cleveland, Cincinnati, Chicago & St. Louis Railway Company be, and the same is hereby required, to station and maintain, at their expense, a flagman at the crossing of Georgia street, by the tracks of said company, which flagman or flagmen shall be on duty at such point at all times during the day, so as to give warning to persons crossing such tracks at such point of the approach of engines, trains or cars upon either or both of such tracks.

Sec. 2. Said railroad company shall be liable for violation of this ordinance, and for violation thereof, either or both of said companies, shall be fined in any sum not less than ten dollars nor more than fifty dollars, and each day said company shall fail to comply with such provisions shall be deemed a separate offense.

Sec. 3. This ordinance shall be in full force and effect from and after its publication, once each week, for two consecutive weeks, in the Daily Reporter, a daily newspaper of general circulation, printed in the English language, in the city of Indianapolis.

Which was read a first time and referred to Committee on Railroads.

By Mr. Holliday :

G. O. No. 14, 1903: An ordinance requiring the Lake Erie & Western Railroad Company, The Chicago, Indianapolis and Louisville Railroad Company, to station and maintain a flagman at the crossing of Sixteenth street, by the tracks of said companies, and fixing a time for its taking effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Lake Erie & Western Railroad Company, and The Chicago, Indianapolis & Louisville Railroad Company, be and the same are hereby required to station and maintain, at their expense, a flagman at the crossing of Sixteenth street, by the tracks of said companies, which flagman or flagmen shall be on duty at such point at all times during the day and night, so as to give proper warning to persons crossing such tracks at such point of the approach of engines, trains or cars upon either or both of such tracks.

Sec. 2. Said railroad companies shall be jointly and separately liable for violation of this ordinance, and for violation thereof, either or both of said companies shall be fined in any sum not less than ten dollars nor more than fifty dollars, and each day said companies shall fail to comply with such provisions shall be deemed a separate offense.

Sec. 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 4. This ordinance shall be in full force and effect from and after its publication, once each week, for two consecutive weeks, in the Daily Reporter, a daily newspaper of general circulation, printed in the English language, in the city of Indianapolis.

Which was read a first time and referred to Committee on Railroads.

MISCELLANEOUS BUSINESS.

Mr. Meyer introduced the following resolution:

Resolution No. 4, 1903: Whereas, We, the representatives of the people, in the City Council, do believe that harmless entertainment is a benefit, rather than a detriment, to our people; and

Whereas, A bill is now pending in the Legislature that will permit of Sunday baseball, and by virtue of our office we are brought in close contact with the voters in the various wards, and find the sentiment strongly in favor of the same; be it hereby

Resolved, That we, the Indianapolis City Council, in regular session, indorse Sunday baseball, and petition the General Assembly of Indiana to enact a bill legalizing the same; and we, furthermore, petition the Marion county delegation to use their best efforts to acquire this right for our city.

GUSTAV J. T. MEYER.

Which was read.

Mr. Eppert moved that the resolution be adopted.

Mr. Cooper moved to lay Mr. Eppert's motion on the table.

Which motion carried.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 47, 1902: An ordinance authorizing the issue and sale of one hundred (100) bonds of one thousand (\$1,000) dollars each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend for asphalt and brick gutters in accordance with Improvement Resolution No. 212, 1902, adopted by the Board of Public Works, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 47, 1902, was then ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 11, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, and President Billingsley.

Noes, 9, viz.: Messrs. Berry, Kelly, Meyer, Shea, Spray, Warweg, Wolsiffer and Wysong.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

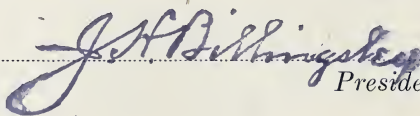
App. O. No. 2, 1903. An ordinance appropriating the sum of four thousand dollars for the Department of Public Works, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 2, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 15, viz.: Messrs. Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 5, viz.: Messrs. Berry, Holliday, Kelly, Meyer and Wolsiffer.

On motion of Mr. Sourbier, the Common Council at 8:40 o'clock p. m. adjourned.


President.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, March 16, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, March 16, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 18 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Messrs. Holliday and Sourbier.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, March 5, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 2, 1903, "An ordinance appropriating the sum of \$4,000 for the Department of Public Works, and fixing the time when same shall take effect."

G. O. No. 47, 1902, "An ordinance authorizing the issue and sale of one hundred \$1,000 bonds to expend for boulevards."

Very truly yours,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, March 16, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith present a communication from the Department of Public Health and Charities requesting an additional appropriation of \$5,000 to be credited to the Contagious Disease Fund.

I recommend that an ordinance be passed appropriating the sum asked for.

Respectfully submitted,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,

City of Indianapolis.

INDIANAPOLIS, March 9, 1903.

Hon. George T. Breunig, City Comptroller, City:

Dear Sir—I have the honor to report that the last appropriation to the Contagious Disease Fund is nearly expended.

I would recommend that an additional appropriation of \$5,000 be made to this fund.

We still have a number of cases of smallpox, having at present seventy-one cases in the pest house and about forty-seven cases that are being treated in their own homes. In addition to these we have a number of houses under quarantine, the patients of which have been sent to the pest house and we are maintaining those who are left in the quarantine.

Accompanying this communication is an itemized statement of the moneys expended for the care of smallpox patients and the maintenance of their families.

Very truly yours,

EUGENE BUEHLER,

Secretary of Board.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, March 16, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith submit communication from the Department of Public Health and Charities requesting an appropriation of the sum of \$620 with which to employ a temporary milk inspector.

I am of the opinion that the request should be granted and therefore recommend the appropriation.

Respectfully submitted,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,
City of Indianapolis.

INDIANAPOLIS, March 16, 1903.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—I have the honor to inform you that the Board of Health desires the reappointment of an assistant milk inspector in order to keep the milk furnished the people of Indianapolis to the standard obtained last year.

It is impossible with one inspector to do this as thoroughly as is desirable. During 1902, five hundred and twenty-three official and over two hundred unofficial samples of milk were examined in our laboratory.

Of this number over one hundred were found to be below the standard required by law and affidavits were filed against the milkman and the creameries furnishing such milk.

In addition all restaurants were visited at least once weekly and the sanitary condition of these greatly improved. We find, however, that unless constant vigilance is employed, that there is a disposition on the part of milk dealers to adulterate the milk.

We have, with the assistance of the City Council, provided an ordinance which affixes the standard of milk which is fair and does not work a hardship on any one; it, however, insures a good quality of milk.

We recommend that an appropriation to pay the salary of an assistant milk inspector for the balance of the year be obtained, at the same rate of the inspectors of the Health Office.

Very truly yours,

EUGENE BUEHLER,

Secretary of Board.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, March 16, 1903.

To the President and Members of the Common Council:

Gentlemen—The subject matter contained in the following communication from the Department of Public Health and Charities has received my careful consideration.

Believing that the employment of a competent drug and prescription clerk at the City Dispensary, at a fair compensation, will materially add to the efficiency of said department, and will result in a large saving of moneys expended for drugs, I have no hesitancy in commending the subject for your early, and, I trust, favorable, action.

Respectfully submitted,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,

City of Indianapolis.

INDIANAPOLIS, March 16, 1903.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—For several years past the City Dispensary staff consisted of five internes, who were required to take their turn in the dispensing of drugs, and the filling of prescriptions.

The present Board of Health, desiring to increase the efficiency of the City Dispensary, as an experiment appointed a graduate pharmacist in the place of the fifth interne and found that the result amply justified the permanent appointment of a graduate drug clerk, in that greater accuracy and a great saving in the dispensing of drugs resulted.

We therefore recommend that an appropriation of fifty (50) dollars per month be made, so that a competent pharmacist can be appointed.

The Board intends to appoint only four internes in the future so that the total number of the Dispensary staff is not increased.

Very truly yours,

EUGENE BUEHLER,

Secretary of Board.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 3, 1903: An ordinance appropriating the sum of one thousand dollars to and for the Department of Public Works, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, March 16, 1903.

Mr. President:

Your Committee on Finance, to whom was referred App. O. No. 3, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
LEW W. COOPER,
JAMES D. MORIARITY,
JAMES E. BERRY,
FRED. W. EPPERT.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Spray, on behalf of Committee on Ordinances, to which was referred G. O. No. 10, 1903: An ordinance providing for the change of the name of Elm Avenue to Tennyson Avenue, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, March 16, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred G. O. No. 10, 1903, beg leave to recommend that same be amended to read Irvington avenue instead of Tennyson avenue.

WM. P. SPRAY,
W. H. WHEELER,
GUSTAV J. T. MEYER.

Which was read and, on motion of Mr. Berry, concurred in.

Mr. Spray, on behalf of Committee on Ordinances, to which was referred G. O. No. 12, 1903: An ordinance to amend Section 1 of G. O. No. 82, 1902, entitled "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof."

Made the following report:

INDIANAPOLIS, March 16, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred G. O. No. 12, 1903, have had same under consideration and recommend that same do pass.

WM. P. SPRAY,
W. H. WHEELER,
GUSTAV J. T. MEYER.

Which was read and, on motion of Mr. Spray, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 76, 1902: An ordinance approving a certain contract granting The National Malleable Castings Company the right to lay and maintain a switch or sidetrack across Michigan street in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, March 16, 1903.

Mr. President:

We, your Committee on Railroads, to whom was referred G. O. No. 76, 1902, beg leave to report that we have had same under consideration and recommend that same do pass.

Signed,
FRED W. EPPERT,
B. F. WYSONG,
W. H. WHEELER,
JNO. WOLSIFFER.

Which was read and, on motion of Mr. Eppert, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

App. O. No. 4, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated the

sum of five thousand (\$5,000) dollars for the use of the Department of Public Health and Charities, to be credited to the Contagious Disease Fund.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 5, 1903: An ordinance appropriating the sum of six hundred and twenty dollars to and for the use of the Department of Public Health and Charities, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated the sum of six hundred and twenty (\$620) dollars to and for the use of the Department of Public Health and Charities, such sum to be credited to the "Salary Account," Board of Health.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

G. O. No. 15, 1903: An ordinance fixing the compensation of the drug and prescription clerk in the City Dispensary, and transferring certain funds to certain funds heretofore appropriated.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the compensation or salary of the drug and prescription clerk in and for the City Dispensary, Department of Public Health and Charities be and the same is hereby fixed at the sum of fifty (\$50.00) dollars per month, and the duties of such clerk shall be as is now or may hereafter be designated by the Commissioners of the Department of Public Health and Charities.

Sec. 2. Be it further ordained by said Common Council, That the sum of two hundred (\$200.00) dollars be and is hereby transferred to the "Salary" Fund from the "Drug" Fund in and for said City Dispensary, for and from the appropriation heretofore made for the year 1903.

Sec. 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Sec. 4. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Negley :

G. O. No. 16, 1903: An ordinance to make it the duty of the City Clerk of the City of Indianapolis, Indiana, to deliver a certified copy of all penal ordinances hereafter passed by the Common Council and approved by the Mayor, as soon as such ordinances shall have been approved.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That whenever any ordinance which provides a penalty for the violation thereof shall have hereafter been passed by said Common Council, and approved by the Mayor of said city, it shall be the duty of the City Clerk of said city to at once deliver to the Superintendent of Police of said city a certified copy of such ordinance in the form in which it was so passed and approved.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Judiciary.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 3, 1903: An ordinance appropriating the sum of one thousand dollars to and for the Department of Public Works, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 3, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 76, 1902: An ordinance approving a certain contract granting The National Malleable Castings Company the right to lay and maintain a switch or sidetrack across Michigan street in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 76, 1902, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Spray, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 1, viz.: Mr. Wahl.

On motion of Mr. Warweg, the following entitled ordinance was taken up and read a second time:

G. O. No. 12, 1903: An ordinance to amend Section 1 of G. O. No. 82, 1902, entitled "An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis, and prescribing a penalty for the violation thereof."

On motion of Mr. Crall, G. O. No. 12, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 10, 1903. An ordinance providing for the change of the name of Elm Avenue to Tennyson Avenue, and fixing the time when the same shall take effect.

Mr. Crall moved that G. O. No. 10, 1903, be amended as recommended by committee report.

Which motion prevailed.

On motion of Mr. Spray, G. O. No. 10, 1903, was then ordered engrossed as amended, read a third time, and passed by the following vote:

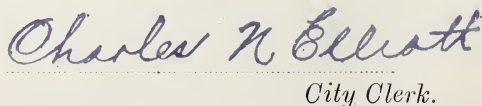
Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 1, viz.: Mr. Kelly.

On motion of Mr. Eppert, the Common Council at 8:30 o'clock p. m. adjourned.


President.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, April 6, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, April 6, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 19 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Negley.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, March 10, 1903.

To the President and Members of the Common Council, City of Indianapolis:

Gentlemen—In view of the failure of the General Assembly to authorize the city of Indianapolis to enter into a contract with the various railroad companies entering the city, or to otherwise empower the city to secure relief from the present grade crossing dangers, I feel that something should be done immediately to prevent the recurrence of the distressing accidents which have recently occurred at several grade crossings of this city.

To my mind no greater problem confronts the people of the city of Indianapolis than the proper solution of the grade crossing question. Immediately following the decision of the Supreme Court, in which the track elevation ordinance passed four years ago was held to be non-effective, owing to the failure of the legislature to confer power upon

the city through the medium of the city charter, I commenced and in due time completed the draft of an act which offered possibilities of a reasonable solution of this question. After the presentation of this bill in the lower house of the General Assembly, I became satisfied that, owing to the short time remaining, it would be impossible, over opposition, to secure the passage of this measure. Feeling that this bill as originally drafted was just and proper, and believing it good business, when unable to secure for the city all that I desired, to accept a part at least, I consented, after consultation with and upon the advice of the gentlemen composing the track elevation commission which has recently been sitting, to the elimination from the original bill of the sections which conferred, upon the city the power to compel track elevation should the railroad companies refuse to voluntarily contract. I was influenced to take this course, not only by the advice of the gentlemen heretofore mentioned, but for the further reason that I could not but feel that the representatives of the railroad companies were acting in good faith in the proceedings which had culminated in the appointment of the railroad elevation commission; and, believing that such spirit of good faith would render it easy to secure from the railroad companies a contract fair to the people and in which all public rights would be protected and conserved, I agreed that the "power" sections of the original bill be eliminated and that negotiations between the city and the railroad companies should be continued, which negotiations, should they not result in something definite, could not in any way prove injurious to the interests of the people.

I still firmly believe that had it not been for the efforts of the over-zealous advocates of track elevation that the bill as amended, conferring the right to contract, providing for the right to raise the money necessary to pay the city's proportion of the cost of street depression and to construct the necessary sewers and drains, would have become a law and that under its provisions Indianapolis would have made a long step towards the ultimate abolition of all grade crossings.

However, this is as a "tale twice told." Legislation has failed; and the duty of protecting the lives of our people, until such time as power can be conferred upon the city to proceed towards track elevation or depression, devolves upon your honorable body and the present officers of the city government; therefore, believing that this question is of the utmost importance and that it should receive immediate attention, I urge upon your honorable body that a committee, of such number as in your judgment may be deemed best, be appointed to examine into the best methods possible under existing statutes to minimize the dangers of grade crossings and to secure to the people compelled to use such crossings the maximum of protection; such committee, acting in co-operation with the Board of Public Works, should take into consideration the preparation of a suitable ordinance for watchmen at all dangerous crossings at all hours of the day and night; for the immediate erection of suitable, approved safety gates and electric bells, or such other safety devices as in their judgment may be deemed advisable.

I have never been an advocate of viaducts in the sense that the word is used when applied to the unsightly structure over the Union Railway tracks in Virginia avenue, the term "viaduct" having always been used in connection with the scheme of track depression, thus securing a crossing with overhead tracks, without the extreme damage to property incident to the construction of the Virginia avenue viaduct; but I suggest to your honorable body that the subject to be considered by your committee should be approached with a view to the consideration of this phase of the grade crossing problem, as well as dealing with the subject of watchmen, safety gates and electrical appliances.

With the hope that I can rely upon your earnest co-operation in the immediate consideration of this vital question, I remain,

Yours respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and, on motion of Mr. Crall, received and spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, April 1, 1903.

To the President and Members of the Common Council, City:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 12, 1903: "An ordinance to amend Section One (1) of G. O. No. 82, 1902, entitled 'An ordinance regulating the location and position of vehicles and treatment of animals hitched thereto at the public markets in the city of Indianapolis and prescribing a penalty for the violation thereof.'"

G. O. No. 10, 1903: "An ordinance providing for the change in the name of Elm avenue to Irvington avenue, and fixing a date when the same shall take effect."

G. O. No. 76, 1902: "An ordinance approving a certain contract, granting the National Malleable Castings Co. a right to lay and maintain a switch or sidetrack across Michigan street in the city of Indianapolis."

App. O. No. 3, 1903: "An ordinance appropriating the sum of one thousand dollars (\$1,000.00) to and for the Department of Public Works and fixing the date when same shall take effect."

Respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, April 6, 1903.

To the President and Members of the Common Council, City:

Gentlemen—I transmit to you herewith for your consideration the following resolution which I am notified by the Board of Public Works was adopted by unanimous vote of such board at a special meeting held on Saturday, April 4, 1903:

"Whereas, Certain charges have been publicly made in this city reflecting upon the official conduct and integrity of the members of this board and especially reflecting upon Edwin D. Logsdon in regard to the letting of certain contracts by this board, the truth of which charges each member of the board, for himself, hereby expressly and unqualifiedly denies; and

"Whereas, It is the desire of each member of this board that a full and complete investigation of all such charges be at once made; now be it

"Resolved, That a copy of this resolution be transmitted to the Hon. Chas. A. Bookwalter, Mayor of the city of Indianapolis, with the request that he might make or cause to be made a thorough investigation of any and all charges reflecting upon this board or any member thereof in such manner as he may deem best."

After careful investigation of the provisions of the City Charter covering the consideration of questions raised in the above resolution, I have come to the conclusion that the only proper method of investigating such charges is through the medium of your honorable body, and I hereby recommend that such committee as in your judgment may be demanded shall at once be appointed to give full and complete hearing of all such charges.

I take this course, believing that the best interests of the people demand that the utmost publicity be given to all of the evidence affecting such charges, and realizing that such investigation does not prevent action by such other tribunals as have jurisdiction should the evidence submitted warrant its submission to such tribunal.

I have the honor to remain,

Very truly yours,

C. A. BOOKWALTER,
Mayor.

Which was read and, on motion of Mr. Holliday, received and spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, March 16, 1903.

To the President and Members of the Common Council, City:

Gentlemen—I herewith present a communication from the Department of Public Works, requesting the appropriation of the sum of \$30,000 for the construction and erection of a building and other improvements over and upon the market place.

Under G. O. No. 8, 1903, bonds amounting to \$30,000 have been issued and sold and I therefore recommend that an ordinance be passed making the appropriation as requested.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, March 16, 1903.

City Comptroller, Indianapolis:

Dear Sir—The purpose of this note is to advise you of the fact that the plans and specifications for the building of the new market house are completed, and that the board will immediately advertise for bids for its construction.

Therefore, will you kindly communicate with the Council, recommending that the thirty thousand dollars realized from the sale of the

bonds for that purpose be appropriated and placed to the credit of the Public Buildings and Repairs Fund?

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

FINANCE DEPARTMENT,
Office of City Comptroller.
INDIANAPOLIS, April 6, 1903.

To the President and Members of the Common Council, City:

Gentlemen—I herewith present a communication from the Department of Public Health and Charities requesting appropriation of additional five thousand dollars for Contagious Disease Fund.

I recommend that an ordinance be passed making the appropriation prayed for.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.
City of Indianapolis.

INDIANAPOLIS, April 6, 1903.

Hon. Geo. T. Breunig, City Comptroller, City:

Dear Sir—I have been instructed by the Board of Health to request an additional appropriation of five thousand dollars. We still have considerable smallpox in our midst, and, as the present appropriation will not be sufficient to meet the necessary expenses, we therefore find it necessary to make this request.

Very truly,

EUGENE BUEHLER,
Secretary Board of Health.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, April 6, 1903.

To the President and Members of the Common Council, City:

Gentlemen—We transmit herewith a general ordinance ratifying and confirming a certain contract entered into this day between the city of Indianapolis, by and through its Board of Public Works, and

the Indianapolis Union Railway Company, granting said railway company the right to construct and maintain a switch or sidetrack across Bethel avenue, in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 15, 1903: An ordinance fixing the compensation of the drug and perscription clerk in the City Dispensary, and transferring certain funds to certain funds heretofore appropriated.

Made the following report:

INDIANAPOLIS, April 6, 1903.

Mr. President:

Your Committee on Finance, to whom was referred G. O. No. 15, 1903, beg leave to report that they have had same under consideration and recommend the following amendment:

Amend Section 2 to read as follows:

Be it further ordained by said Common Council, That the sum of two hundred (\$200.00) dollars be, and is hereby, transferred to the Salary Fund from the Drug Fund, in and for said City Dispensary, for and from the appropriation heretofore made for the year 1903, and that said two hundred (\$200.00) dollars be used in the payment of salary of the perscription clerk.

And when so amended we recommend that same do pass.

T. A. WYNNE,

LEW W. COOPER,

B. F. WYSONG,

JAMES D. MORIARITY,

JAMES E. BERRY,

FRED W. EPPERT,

JNO. H. CRALL,

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 4, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, April 4, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred App. O. No. 4, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
LEW W. COOPER,
B. F. WYSONG,
JAMES D. MORIARITY,
JAMES E. BERRY,
FRED W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

App. O. No. 6, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby appropriated the sum of five thousand (\$5,000.00) dollars for the use of the Department of Public Health and Charities, to be credited to the Contagious Disease Fund.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage."

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 7, 1903: An ordinance appropriating the sum of thirty thousand dollars to and for the use of the Department of Public Works, and fixing the time when same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be, and is hereby, appropriated the sum of thirty thousand (\$30,000) dollars to and for the use of the Department of Public Works, such sum so appropriated to be credited to the account or fund known and designated as "Public Buildings and Repairs." Said Department of Public Works is hereby authorized to expend the sum herein appropriated or so much thereof as may be necessary for the construction and erection of a building and other improvements over and upon market place.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

G. O. No. 17, 1903. An ordinance approving a certain contract granting the Indianapolis Union Railway the right to lay and maintain a switch or sidetrack across Bethel avenue, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 24th day of March, 1903, the Indianapolis Union Railway Company filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

Indianapolis, Indiana, March 24, 1903.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, the Indianapolis Union Railway Company, respectfully petition your honorable board, asking permission to construct and maintain one switch or sidetrack on the northwest side of, parallel with, and thirteen feet distant from its present main track on its present right of way across Bethel avenue, in Huggin's Southeastern Addition to the City of Indianapolis. All as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

THE INDIANAPOLIS UNION RAILWAY CO.

By A. A. ZION,

Superintendent.

Now, Therefore, This agreement, made and entered into this 6th day of April, 1903, by and between The Indianapolis Union Railway Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across Bethel avenue, in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may from

time to time, be hereafter established, whenever so ordered, in writing, by said board and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects Bethel avenue shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said board, to take up and remove said sidetrack or switch and upon its failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch, or causing the same to be done, said board shall in nowise become a trespasser.

(5) The party of the first part agrees to paye between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing, of ten (10) days, said board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said sidetrack or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violations of any provisions of this instrument by said party of the first part or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters connected therewith and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack on the northwest side of, parallel with, and thirteen feet distant from its present main track on its present right of way across Bethel avenue, in Huggins' Southeastern Addition to the city of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, We have hereunto set our hands this 6th day of April, 1903.

THE INDIANAPOLIS UNION RAILWAY COMPANY,

By JAMES McCREA,

President.

Party of the First Part.

J. L. MASON.

R. E. COOK.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works, to the Common Council of the city of Indianapolis for its consideration and action; now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Shea:

G. O. No. 18, 1903: An ordinance regulating the manner of operation and speed of locomotives, cars and trains.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall be unlawful for any person, firm or corporation to run, operate or propel, or suffer, allow or permit any steam railway locomotive, car or train of cars, to be operated or propelled on or over any track in the city of Indianapolis, at a rate of speed in excess of six miles per hour.

Sec. 2. It shall be unlawful for any person, firm or corporation to run, operate or propel or suffer or allow or permit any steam railway locomotive, car, or train of cars to be operated on and over and across any public street, alley or public place in the city of Indianapolis, whereon is located or placed an electric street car track, at a greater rate of speed than one mile an hour.

Sec. 3. That it shall be unlawful for any person, firm or corporation owning or operating a steam railway engine, locomotive, car or train of cars on or over any railway track in the city of Indianapolis, to operate or propel or cause, suffer or permit to be operated or propelled any such locomotive, engine, car or train of cars over and across any street car track or tracks located on any public street or alley whereon is located or placed an electric street car track or tracks, without first and before crossing over such street car tracks causing said locomotive, engine, car or train of cars to come to a full stop at a distance of not less than 100 feet or more than 200 feet from any such street car track or tracks so located on any such public street, alley or public place.

Sec. 4. If the provisions of this ordinance shall be violated by any corporation or other corporate body process shall issue against such corporate body, as in criminal cases.

Sec. 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be fined not less than ten dollars and not more than fifty dollars for each offense, to which may be added imprisonment not exceeding thirty days.

Which was read a first time and referred to Committee on Railroads.

By Mr. Eppert:

G. O. No. 19, 1903: An ordinance changing the name of Rhode Island street to Colton street.

Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the name of the first street north of Walnut street and running west from Blake street to Hiawatha street and now known as Rhode Island street, shall be changed to and shall hereafter be known and designated as Colton street.

This ordinance shall be in full force and effect from and after its passage and approval by the Mayor of the city of Indianapolis.

Which was read a first time and referred to Committee on Ordinances.

By Mr. Wheeler:

G. O. No. 20, 1903: An ordinance requiring the Lake Erie & Western Railroad Company, the Chicago, Indianapolis & Louisville Railroad Company, to station and maintain a flagman at the crossing of Twenty-fifth street, by the track of said companies, and fixing a time for its taking effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Lake Erie & Western Railroad Company, and the Chicago, Indianapolis & Louisville Railroad Company, be and the same are hereby required to station and maintain, at their expense, a flagman at the crossing of Twenty-fifth street, by the tracks of said companies, which flagman or flagmen shall be on duty at such point at all times during the day, so as to give proper warning to persons crossing such tracks at such point of the approach of engines, trains or cars upon either or both of such tracks.

Sec. 2. Said railroad companies shall be jointly and separately liable for violation of this ordinance, and for violation thereof, either or both of said companies shall be fined in any sum not less than ten dollars nor more than fifty dollars, and each day said companies shall fail to comply with such provisions shall be deemed a separate offense.

Sec. 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 4. This ordinance shall be in full force and effect from and after its publication, once each week, for two consecutive weeks, in the Daily Reporter, a daily newspaper of general circulation, printed in the English language, in the city of Indianapolis.

Which was read a first time and referred to Committee on Railroads.

By Mr. Crall :

G. O. No. 21, 1903: An ordinance to regulate the running of locomotives and cars, in the city of Indianapolis, to prevent accidents at crossings and to protect human life.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana. That it shall be unlawful for any conductor, engineer, or other person managing or controlling any locomotive or train of cars, or any part of any such train, to run, or cause or permit the same to be run, either backward or forward, across the track of any street railroad in said city, without first stopping said locomotive or car or cars, at a point not nearer to said street railroad track than forty feet, and cause inspection to be made by some competent person of such street railroad tracks, to ascertain whether any car is approaching such crossing on said tracks, and it shall be unlawful for any such engineer, conductor or other person having the management or control of any such locomotive or cars, to allow the same to cross or attempt to cross said street railroad tracks, if there is a car approaching said crossing on said street railroad tracks, within a distance of one hundred feet thereof, until the same shall have been signaled and brought to a full stop, so that such locomotive or cars or car in charge of such engineer, conductor or other person, may pass safely over said crossing, without endangering life or property.

Sec. 2. It shall be the duty of every railroad company using steam as a motive power for the propulsion of its locomotives and cars, and engaged in the operation of a railroad in said city, to provide a watchman for every point in such city where street railway tracks are crossed by the locomotives or cars of such railway company. Such watchman shall be and remain at all such crossings from six o'clock a. m. until 12 o'clock, midnight, of every day. All locomotives and cars of such steam railroads shall be brought to a full stop, not less than forty feet from any such crossing, and it shall be the duty of such watchman, by the proper signal, to notify the engineer or conductor of such locomotive or train as to whether the tracks of said street railroad are clear and free from approaching cars. In the event that there shall be a street car approaching on such tracks within a distance of 100 feet of said crossing, such locomotive or cars or car shall not be allowed to pass over such crossing until the said approaching street car or cars shall have been signaled and brought to a full stop.

Sec. 3. It shall be unlawful for any locomotive or train of cars, being propelled by steam as a motive power, to cross Massachusetts avenue, Michigan street, State street, Capitol avenue, Kentucky avenue, Washington street, Delaware street, Pennsylvania street or Meridian street, between the hours of 6 a. m. and midnight, without first coming to a full stop before entering upon any of such streets, and it shall be the duty of the watchman provided for in Section 2 of this ordinance to walk immediately in advance of any locomotive or cars or car while the same is passing over any of such streets between the hours aforesaid. Said watchman shall be provided with a flag in the day time and a lantern at night, with which he shall warn any and all persons about to cross such tracks and thereby prevent accidents at such crossings.

Section 4. It shall be unlawful for the engineer, conductor or other person having the management or control of any locomotive or cars or car being propelled by steam through said city, to allow the same to be moved backward across or upon any street in said city between the hours of six o'clock a. m. and 12 o'clock, midnight, without causing some person to walk on the railroad track in advance of any such back-

ing locomotive or car, to warn all persons about to cross such track of approaching danger: Provided, That the provisions of this section shall not apply to crossings where safety gates of approved design have been erected and are in successful operation.

Sec. 5. That it shall be unlawful for any engineer, conductor or other person having the control or management of any train of cars being propelled by steam as a motive power to allow any car or cars belonging to such train to be run over or across any street or avenue in said city, unless the same are securely attached to a locomotive, it being the purpose of this section to prohibit the moving of cars across the streets and avenues of said city by means of the "running" or "flying" switch.

Sec. 6. Any engineer, conductor or other person having the management or control of any locomotive or cars who shall violate any of the provisions of this ordinance, or of any section thereof shall, on conviction therefor for the first offense, be fined in any sum not less than twenty-five nor more than one hundred dollars, and in case any such person shall be convicted of a second violation of any such provisions he shall be fined one hundred dollars and be imprisoned in the workhouse not less than ten nor more than ninety days.

Sec. 7. Any railroad company which shall violate any of the provisions of Section 2 of this ordinance shall forfeit to said city the sum of two hundred dollars, and each day during which any such company shall fail to comply with the provisions of said section shall be deemed to be a separate offense.

Sec. 8. This ordinance shall be in effect from and after its passage and the publication once each week for two weeks consecutively in the Indianapolis Daily Reporter, a daily newspaper of general circulation, printed and published in the said city of Indianapolis.

Which was read a first time and referred to Committee on Railroads.

MISCELLANEOUS BUSINESS.

Mr. Crall offered and moved the adoption of the following resolution:

INDIANAPOLIS, April 6, 1903.

Resolution No. 5, 1903: Whereas, We, the Common Council, approve the recommendation of the Mayor in his communication to us of the resolution of the Board of Public Works in reference to the investigation of certain charges made against said board and the several members thereof; therefore, be it

Resolved, That said communication be referred to the Committee on Investigation and Impeachment, with instructions to proceed at once to investigate said charges and report to this body.

JOHN H. CRALL.

Which was read and adopted by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 1: Mr. Wheeler.

President Billingsley stated that, owing to relations between Mr. Spray and a witness to be heard in the investigation, that Mr. Spray has asked to be relieved from the Committee on "Investigation and Impeachment," and announced the appointment of Mr. Eppert as a member of the committee.

Mr. Eppert offered the following communication and petition :

INDIANAPOLIS, March 17, 1903.

To the Common Council of the City of Indianapolis

At the request of the Flanner Guild, and on its behalf, I write to call your attention to the petition on file for the change of the name of Rhode Island street to Colton street, and to urge that you give favorable consideration to this petition. The Flanner Guild is a neighborhood house, which is carrying on a philanthropic work at 879 West Rhode Island street and is giving to the negroes of the city the advantages of industrial education. Under the supervision of the Charity Organization this Guild is giving instruction in laundry work and various kinds of manual training, and is furnishing to the citizens of that neighborhood, particularly the younger generation, a headquarters for social gatherings under respectable and elevating surroundings. There is a feeling on the part of those identified with the work that a change in the name of the street would be beneficial. The name proposed is the name of one of the founders of the Flanner Guild, and the one who has perhaps done more to make the work of that institution a success than any other person in the city.

Yours truly,

CHARLES W. MOORES.

To the Common Council of the City of Indianapolis:

The undersigned, citizens and taxpayers of the city of Indianapolis, respectfully petition your honorable body to change the name of Rhode Island street to Colton street:

CHARLES W. MOORES,

Trustee for Flanner Guild,

879 Rhode Island Street.

FRANKLIN VONNEGUT,

Treasurer of Flanner Guild,

And Owner of Lot on Rhode Island Street.

FRANK W. FLANNER.

CHARLES GIRTON.

CARLETON B. McCULLOCH.

B. J. MORGAN,

President of Flanner Guild Board.

Which was read and referred to Committee on Ordinances.

Mr. Meyer offered and moved the adoption of the following resolution: Resolution No. 6, 1903:

INDIANAPOLIS, April 6, 1903.

Whereas, People are being frequently killed or injured on the railroad crossings in Indianapolis;

Whereas, Such efforts as have thus far been made have failed to induce the railroad companies to take proper steps for adequate protection of the public from the dangers and inconveniences of grade crossings in Indianapolis; and

Whereas, The Mayor has asked that steps be taken by the Common Council to secure such protection for the public; therefore, be it

Resolved, That a committee of five members of the Council be appointed to investigate present conditions as to grade crossings in Indianapolis, with instructions to ascertain whether the ordinances of said city for protection of the public are being enforced, whether there is any neglect of duty by any officials of said city in the matter of enforcing ordinances for the protection of the public at grade crossings, and that said committee shall report the results of its investigations to this Council, without delay, in order that there may be further action by this Council toward securing protection to the public at said grade crossings.

G. J. T. MEYER.

Which was read and adopted by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Ho'liday, Kelly, Meyer, Moriarity, McFarland, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.
Noes: None.

Whereupon President Billingsley announced the appointment of the following Special Committee to investigate relative to grade crossing conditions in Indianapolis:

Messrs. Wheeler, McFarland, Rhodes, Wysong and Meyer.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 4, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 4, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 1, viz.: Mr. Kelly.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 15, 1903: An ordinance fixing the compensation of the drug and prescription clerk in the City Dispensary, and transferring certain funds to certain funds heretofore appropriated.

Mr. Crall moved that G. O. No. 15, 1903, be amended as recommended by committee report.

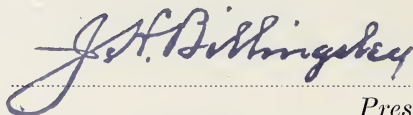
Which motion carried.

On motion of Mr. Wynne, G. O. No. 15, 1903, was then ordered engrossed as amended, read a third time and passed by the following vote :

Ayes, 20, viz. : Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

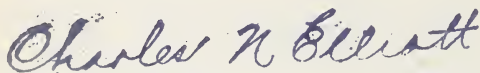
Noes: None.

On motion of Mr. Sourbier, the Common Council at 8:30 o'clock p. m. adjourned.



President.

ATTEST:



City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

FRIDAY, April 10, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Friday evening, April 10, 1903, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, April 9, 1903.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 12 of the City Charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 p. m., on April 10, 1903, in the Council Chamber of said city, for the purpose of introducing and considering an ordinance appropriating \$500 for the purpose of defraying the expenses in the investigation of charges which have been filed against the members of the Board of Public Works.

Also for the purpose of taking action on and passing an ordinance introduced at the last session of the Council appropriating \$5,000 to the Contagious Disease Fund of the Board of Health and Charities.

Very truly yours,

C. A. BOOKWALTER,
Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, Hon. W. A. Rhodes, Vice-President of the Common Council in the chair, and 15 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 5, viz.: Messrs. Holliday, Spray, Wahl, Wheeler and President Billingsley.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, April 10, 1903.

To the President and Members of the Common Council:

Gentlemen: I recommend the passage of an ordinance appropriating the sum of five hundred dollars (\$500), to and for the use of the Finance Department, in defraying the expenses incident to the proposed investigation requested by the Department of Public Works and recommended by his Honor, the Mayor.

Very respectfully,
GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

App. O. No. 8, 1903: An ordinance appropriating the sum of five hundred dollars (\$500) to and for the use of the Department of Finance, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Ind., That there be and is hereby appropriated the sum of five hundred (\$500) dollars to and for the use of the Department of Finance. The sum herein appropriated, or as much thereof as may be necessary, to be used in defraying the expenses incident to the proposed investigation requested by the Department of Public Works.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time.

Mr. Crall moved that the constitutional rules be suspended for the purpose of placing the following entitled ordinance on its final passage:

App. O. No. 8, 1903: An ordinance appropriating the sum of five hundred dollars (\$500), to and for the use of the Department of Finance, and fixing a time when the same shall take effect.

Which motion was adopted by a unanimous vote.

On motion of Mr. Wynne, App. O. No. 8, 1903, was then read a second time, ordered engrossed, read a third time and passed by the following vote:

Ayes, 16, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Warweg, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes: None.

On motion of Mr. Crall, Council took up order of Reports from Standing Committees.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 6, 1903: An ordinance appropriating the sum of five thousand dollars (\$5,000.00) for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Made the following report:

To the President and Members of the Common Council:

Your Committee on Finance, to whom has been referred App. O. No. 6, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
FRED W. EPPERT,
LEW W. COOPER,
JAMES D. MORIARITY,
J. E. BERRY.

Which was read and, on motion of Mr. Wynne, concurred in.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 6, 1903: An ordinance appropriating the sum of five thousand dollars (\$5,000.00) for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 6, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 16, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Warweg, Wolsiffer, Wynne, Wysong, and Vice-President Rhodes.

Noes: None.

On motion of Mr. Crall, the Common Council at 7:50 o'clock p. m. adjourned.

Mr. Rhoads

President pro tem.

ATTEST:

Charles H. Elliott

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, April 20, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, April 20, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 19 members, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 1, viz.: Mr. Cooper.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, April 7, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 4, 1903—An ordinance appropriating the sum of \$5,000.00 for the Department of Public Health and Charities and fixing a date when same shall take effect.

G. O. No. 15, 1903—An ordinance fixing the compensation of the Drug and Prescription Clerk in the City Dispensary and transferring certain funds to certain funds heretofore appropriated.

Respectfully,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, April 13, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 6, 1903—An ordinance appropriating the sum of \$5,000.00 for the Department of Public Health and Charities and fixing a date when same shall take effect.

App. O. No. 8, 1903—An ordinance appropriating the sum of \$500.00 to and for the Department of Finance and fixing a time when same shall take effect.

Yours respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, April 20, 1903.

To the President and Members of the Common Council:

Gentlemen—I submit herewith a communication from the Department of Public Health and Charities requesting an additional appropriation of \$5,000.00 for the "Prevention of Contagious Disease Fund."

I recommend that an ordinance be passed making the appropriation as requested.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,

City of Indianapolis.

INDIANAPOLIS, April 18, 1903.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—I have the honor to inform you that it will be necessary to have additional appropriation in the Contagious Disease Fund.

We still have from twenty-six to thirty patients at the pest house. The expense of maintaining this hospital is very considerable, and, as smallpox will be more or less prevalent all summer, there will be of a necessity more funds required.

We therefore ask you to obtain an additional appropriation of \$5,000.00 to this fund.

Very truly yours,

EUGENE BUEHLER,
Secretary Board of Health.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, April 20, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a contract entered into this day between the city of Indianapolis, by and through its Board of Public Works, and the Christian-Haugh Fuel Company, granting said Christian-Haugh Fuel Company the right to construct and maintain a switch or sidetrack across the first alley south of Moore avenue in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Spray, on behalf of Committee on Ordinances, to which was referred G. O. No. 19, 1903: An ordinance changing the name of Rhode Island street to Colton street.

Made the following report:

INDIANAPOLIS, April 20, 1903.

Mr. President:

Your Committee on Ordinances, to whom was referred G. O. No. 19, 1903, have had the same under consideration and recommend that the same do pass.

W. P. SPRAY,
W. H. WHEELER,
GUSTAV J. F. MEYER.

Which was read and, on motion of Mr. Spray, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 20, 1903: An ordinance requiring the Lake Erie & Western Railroad Company, the Chicago, Indianapolis & Louisville Railroad Company, to station and maintain a flagman at the crossing of Twenty-fifth street, by the track of said companies, and fixing a time for its taking effect.

Made the following report:

INDIANAPOLIS, April 20, 1903.

Mr. President:

Your Committee on Railroads have had under consideration G. O. No. 20, 1903, and recommend same do pass.

FRED. W. EPPERT,
W. H. WHEELER,
JNO. WOLSIFFER,
B. F. WYSONG,
ED. G. SOURBIER.

Which was read and, on motion of Mr. Eppert, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 17, 1903: An ordinance approving a certain contract granting the Indianapolis Union Railway the right to lay and maintain a switch or sidetrack across Bethel avenue, in the city of Indianapolis.

Made the following report:

INDIANAPOLIS, April 20, 1903.

Mr. President:

Your Committee on Railroads have had under consideration G. O. No. 17, 1903, and recommend that same do pass.

FRED. W. EPPERT,
B. F. WYSONG,
JNO. WOLSIFER,
W. H. WHEELER.

Which was read and, on motion of Mr. Eppert, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 7, 1903: An ordinance appropriating the sum of thirty thousand dollars to and for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, April 20, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred App. O. No. 7, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
FRED. W. EPPERT.

Which was read and, on motion of Mr. Wynne, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

App. O. No. 9, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be, and is hereby appropriated the sum of five thousand (\$5,000.00) dollars for the use of the Department of

Public Health and Charities to be credited to the fund known and designated as the "Prevention of Contagious Disease" fund.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

G. O. No. 22, 1903: An ordinance approving a certain contract granting the Christian Haugh Fuel Company the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 10th day of March, 1903, Christian Haugh Fuel Company filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, Ind., March 10, 1903.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Christian-Haugh Fuel Company, owners of certain real estate abutting on the first alley south of Moore avenue, respectfully petition your honorable board asking permission to construct and maintain one switch or sidetrack across the first alley south of Moore avenue, for the purpose of entering the grounds of the said Christian-Haugh Fuel Company, as follows:

The center line of said proposed switch begins at a point in the south line of the first alley south of Moore avenue, the said point being forty (40) feet west of the east line of Gray street, formerly Erie street; thence with a curve line in a northwesterly direction to a point in the north line of the first alley south of Moore avenue, the said point being forty (40) feet west of the west line of Gray street, formerly Erie street, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

CHRISTIAN-HAUGH FUEL COMPANY,

H. E. CHRISTIAN,

President.

Now, Therefore, This agreement, made and entered into this 20th day of April, 1903, by and between Christian-Haugh Fuel Company of the city of Indianapolis, County of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across the first alley south of Moore avenue, in the city of Indianapolis, which is more specifically

described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said board, for the elevation or depression of said sidetrack or switch or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch crosses the first alley south of Moore avenue shall at all time be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done said board shall in nowise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, across the first alley south of Moore avenue to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than

one hundred thousand population, according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley south of Moore avenue, in the city of Indianapolis, as follows:

The center line of said proposed switch begins at a point in the south line of the first alley south of Moore avenue, the said point being forty (40) feet west of the east line of Gray street, formerly Erie street; thence with a curve line in a northwesterly direction to a point in the north line of the first alley south of Moore avenue, the said point being forty (40) feet west of the west line of Gray street, formerly Erie street, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

In Witness Whereof, We have hereunto set out hands this 20th day of April, 1903.

CHRISTIAN-HAUGH FUEL COMPANY.

By H. E. CHRISTIAN,

President.

Attest:

WILMER F. CHRISTIAN,

Secretary.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Party of the Second Part.

And, Whereas. Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Crall:

G. O. No. 23, 1903: An ordinance regulating the running of automobiles through the streets, alleys or public driveways of the city of Indianapolis; and providing penalties for the violation thereof, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall be unlawful for any person, or persons, to drive, or cause to be driven, any automobile through the streets, alleys or public driveways of said city faster than eight (8) miles per hour inside of the territory bounded by North street, East street, South street and West street, or faster than twelve (12) miles per hour in any portion of said city outside of the above described territory.

Sec. 2. All automobile drivers or owners shall register with the City Comptroller their full name and residence, together with a brief

description of their automobile, or automobiles, and said automobile, or automobiles, shall be provided by the owner thereof with his or her full initials in white letters not less than three (3) inches high, and placed upon the rear of such vehicle, or vehicles: Provided, however, that this section shall not apply to nonresidents of the city of Indianapolis, Indiana, not remaining in the city a longer period than five (5) days.

Sec. 3. All automobiles shall be provided with an alarm bell, or horn, and shall carry a lighted lamp from half an hour after sunset until half an hour before sunrise.

Sec. 4. All operators of automobiles shall slow up or stop in turning corners of streets in down-town districts when said vehicle could possibly cause an accident or create disturbance.

Sec. 5. Any person, or persons, violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than five dollars (\$5.00) or more than fifty dollars (\$50.00).

Sec. 6. This ordinance shall be in full force and effect from and after its passage and publication once each week for two (2) consecutive weeks, in the Indianapolis Daily Reporter, a newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By President Billingsly:

G. O. No. 24, 1903: An ordinance regulating the speed of electric street cars.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it shall be unlawful for any motorman, conductor or other person having any electric street car in charge, whether it be a private car, for passengers, express, freight or a work car, to permit the same to run within said city at a greater speed than eight miles per hour.

Sec. 2. Any executive officer of any electric railway company, and any person engaged in the management or control of any electric car of any city or interurban company violating the provisions of the preceding section shall, upon conviction thereof, be fined in any sum not exceeding two hundred dollars.

Sec. 3. This ordinance shall be in force from and after its passage and publication in the Indianapolis (daily) Reporter for two consecutive weeks.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Negley:

G. O. No. 25, 1903: An ordinance requiring the Lake Erie & Western Railroad and the Chicago, Indianapolis & Louisville Railway Company to erect, operate and maintain safety gates and a watchman's tower at the point in the city of Indianapolis, Indiana, where the tracks of said railroad companies cross Thirteenth street; defining the duties of said railroad companies in relation to such safety gates and watchman's tower; providing penalties for the violation thereof; providing for the publication thereof, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana. That it is hereby declared the duty of the Lake

Erie & Western Railroad and the Chicago, Indianapolis & Louisville Railway Company to, and said railroad companies are hereby required to, erect, maintain and operate safety gates on both the east and west side of the tracks of said companies where said tracks cross Thirtieth street in said city, within thirty (30) days from the taking effect of this ordinance. And it is hereby further ordained that said railroad companies are hereby required to erect, maintain and operate a watchman's tower in conjunction with such safety gates, in which a watchman shall be stationed continuously from the hour of six (6) o'clock a. m. to twelve o'clock midnight. And such safety gates and tower shall be so constructed that said gates shall be operated from said tower, and so that such watchman may have a free and unobstructed view of trains and locomotives approaching said crossing for a distance one square in each direction, north and south.

Sec. 2. Any officer of said railroad companies in charge of the divisions of said railroads crossing said street at the point designated in Section 1 of this ordinance who shall violate any of the provisions hereof, shall, upon conviction thereof, be fined in any sum not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00); and each day that such violation shall continue shall be considered a separate violation hereof.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication once each week for two (2) consecutive weeks in the Indianapolis Journal, a daily newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Sewers, Streets and Alleys.

MISCELLANEOUS BUSINESS.

The following communication was read by the clerk:

INDIANAPOLIS, April 18, 1903.

Hon. Jas. H. Billingsley, President of Council:

Dear Sir—At a preliminary meeting of the members of Memorial Day Committee, held at G. A. R. headquarters on the evening of the 17th inst., we were instructed to ask you to appoint three members of the City Council to serve on our General Committee to make arrangements for the proper observance of Memorial Day.

This has been the custom for some years past and we sincerely hope that you will find at least three members who will give us some assistance.

The next meeting will be held on Friday evening, May 1st, but if you will furnish me the names of the committee I will see that they are given proper notification.

Very respectfully,

D. H. OLIVE,
President.

CAREY McPHERSON,
Secretary.

Mr. Negley moved that the communication be accepted and spread on the minutes, and that the President appoint a committee of three to assist the G. A. R. Committee in making arrangements for observance of Memorial Day.

Which motion prevailed.

Whereupon President Billingsley appointed the following committee:

Messrs. Negley, Wheeler and Shea.

Mr. Holliday moved that G. O. No. 13, 1903, and G. O. No. 14, 1903, be taken out of hands of Committee on Railroads, and be read a second time.

Mr. Eppert moved that Mr. Holliday's motion be laid on the table.

Which motion was lost by the following vote:

Ayes, 7, viz.: Messrs. Crall, Eppert, Sourbier, Spray, Wheeler, Wysong, and President Billingsley.

Noes, 13, viz.: Messrs. Berry, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Wahl, Warweg, Wolsiffer and Wynne.

Whereupon Mr. Holliday's motion that G. O. Nos. 13 and 14, 1903, be taken out of hands of Committee on Railroads, prevailed by the following vote:

Ayes, 11, viz.: Messrs. Berry, Holliday, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, and President Billingsley.

Noes, 9, viz.: Messrs. Crall, Eppert, Kelly, Meyer, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

G. Os. Nos. 13 and 14, 1903, not being in Council, Mr. Moriarity moved that they be referred to Committee on Public Safety and Comfort, with instructions that they be reported at next regular meeting of Council.

Which motion prevailed.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 7, 1903: An ordinance appropriating the sum of thirty thousand dollars to and for the use of the Department of Public Works, and fixing the time when same shall take effect.

On motion of Mr. Wynne, App. O. No. 7, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 16, viz.: Messrs. Crall, Eppert, Holliday, Kelly, McFarland, Negley, Rhodes, Shea, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 4, viz.: Messrs. Berry, Meyer, Moriarity and Sourbier.

On motion of Mr. Wheeler, the following entitled ordinance was taken up and read a second time:

G. O. No. 20, 1903: An ordinance requiring the Lake Erie & Western Railroad Company, the Chicago, Indianapolis & Louisville Railroad Company, to station and maintain a flagman at the crossing of Twenty-fifth street, by the track of said companies, and fixing a time for its taking effect.

On motion of Mr. Wheeler, G. O. No. 20, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.
Noes: None.

On motion of Mr. Spray, the following entitled ordinance was taken up and read a second time:

G. O. No. 19, 1903: An ordinance changing the name of Rhode Island street to Colton street.

On motion of Mr. Spray, G. O. No. 19, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.
Noes, 2, viz.: Messrs. Holliday and Wahl.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 17, 1903. An ordinance approving a certain contract granting the Indianapolis Union Railway the right to lay and maintain a switch or sidetrack across Bethel avenue, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 17, 1903, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.
Noes, 2, viz.: Messrs. Moriarity and Sourbier.

On motion of Mr. Wheeler, the Common Council at 8:40 o'clock p. m. adjourned.

J. H. Billingsley
President.

ATTEST:

Charles N. Elliott

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, May 4, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 4, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 20 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, none.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, April 25, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 17, 1903: An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across Bethel avenue, in the city of Indianapolis, Indiana.

G. O. No. 19, 1903: An ordinance changing the name of Rhode Island street to Colton street.

G. O. No. 20, 1903: An ordinance requiring the L. E. & W. Railway and the Chicago, Indianapolis & Louisville Railway Companies to station and maintain a flagman at the crossing of Twenty-fifth street, by the tracks of said companies, and fixing a time when the same shall take effect."

App. O. No. 7, 1903: An ordinance appropriating the sum of thirty thousand (\$30,000.00) dollars to and for the Department of Public Works, and fixing a time when same shall take effect.

Respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, May 4, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Memorial Day Committee, requesting the appropriation of \$200.00 to defray expenses of observing Memorial Day, May 30, 1903.

I respectfully recommend that the appropriation be made as requested.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

INDIANAPOLIS, April 18, 1903.

Geo. T. Breunig, City Comptroller:

Dear Sir—For three or more years past the City Council of this city has very generously appropriated the sum of \$200.00 for the purpose of defraying the legitimate expenses of observing Memorial Day.

The entire amount of this appropriation has never been used, but after paying the necessary expenses allowed by the General Committee on Arrangements, the balance has been converted back into the city treasury.

At a meeting of the General Committee on Arrangements, held in Room 25, State House, on Friday evening, April 17th, we were instructed to ask through you an appropriation from the City Council of \$200.00 with which to pay such expenses as the committee might incur this year.

I wish to call your attention, for your own guidance, to the fact that in the years 1899, 1900, 1901 and 1902 the City Council appropriated each year \$200.00.

Reports will show that in 1899 the sum of \$23.60 was converted back into the city treasury; in 1900, \$34.20; in 1901, \$24.31, and in 1902, \$24.65. I mention this that you may know personally and be enabled to present it to the Council that nothing has been expended except in a legitimate way.

This appropriation is not asked for our own personal good or aggrandizement, but rather to keep alive the spirit of patriotism that prompted the young men of this country in the years 1861 to 1865 to leave their homes and firesides and march to the front to battle for the preservation of our flag and government. Very respectfully,

CAREY McPHERSON,
Secretary.

D. H. OLIVE,
President.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, May 4, 1903.

To the President and Members of the Common Council, City:

Gentlemen—We transmit herewith for your consideration and action thereon a certain contract this day made and entered into by and between the city of Indianapolis, through its Board of Public Works, and the Pennsylvania Company, operating the Indianapolis & Vincennes Railroad, granting said company the right to construct and maintain a sidetrack parallel with their present main track and across Miller street, Minnesota street, Harding street, Blaine street, in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, May 4, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon certain contract this day made and entered into by and between the city of Indianapolis, through its Board of Public Works and the P., C., C. & St. L. Ry. Co., granting said company the right to construct and maintain two sidetracks parallel with the main track and extending across the Brookville road at the grade and Sherman Drive over grade to Pleasant Run in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, May 4, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit for your consideration and action thereon General Ordinance ratifying and confirming certain contract this day made and entered into by and between the city of Indianapolis, through its Board of Public Works, and the Consolidated Traction Co., author-

izing said Company to operate its interurban cars along certain streets in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 9, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, April 30, 1903.

Mr. President:

Your Committee on Finance, to whom was referred Appropriation Ordinance No. 9, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
LEW W. COOPER,
JNO. H. CRALL,
B. F. WYSONG,
FRED. W. EPPERT.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to which was referred G. O. No. 23, 1903: An ordinance regulating the running of automobiles through the streets, alleys or public driveways of the city of Indianapolis; and providing penalties for the violation thereof, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, May 4, 1903.

Mr. President:

Your Committee on Public Safety and Comfort, having under consideration G. O. No. 23, 1903, recommends the following amendments:

Section 2 amended to read: All automobile drivers or owners shall register with the City Comptroller their full name and residence, together with a brief description of their automobile, or automobiles, and said automobile, or automobiles, shall be provided by the owner thereof with his or her full initials in white or aluminum Roman letters not less than three (3) inches high, arranged in a horizontal line, with a space not less than three-fourths of an inch nor more than two inches

between the nearest adjacent points of the several letters, and placed upon the rear of such vehicle or vehicles: Provided, however, That this section shall not apply to nonresidents of the city of Indianapolis, Indiana, not remaining in the city a longer period than five (5) days.

And that part of Section 4 be stricken out and amended to read: All operators of automobiles must slow up in turning corners of streets.

And when so amended, we recommend that same do pass.

ED. G. SOURBIER,
WM. P. SPRAY,
W. A. RHODES,
FRED W. EPPERT,

Which was read and, on motion of Mr. Sourbier, concurred in.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to which was referred G. O. No. 14, 1903: An ordinance requiring the Lake Erie & Western Railroad Company, The Chicago, Indianapolis and Louisville Railroad Company, to station and maintain a flagman at the crossing of Sixteenth street, by the tracks of said companies, and fixing a time for its taking effect.

Made the following report:

INDIANAPOLIS, May 4, 1903.

Mr. President:

Your Committee on Public Safety and Comfort, having G. O. No. 14, 1903, under consideration, recommends that the same do pass.

ED. G. SOURBIER,
WM. P. SPRAY,
W. A. RHODES,
FRED W. EPPERT,
ANDREW H. WAHL.

Which was read and, on motion of Mr. Sourbier, concurred in.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to which was referred G. O. No. 13, 1903: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the crossing of Georgia street, by the tracks of said company, and fixing a time for its taking effect.

Made the following report:

INDIANAPOLIS, May 4, 1903.

Mr. President:

We, your Committee on Public Safety and Comfort, to whom was referred G. O. No. 13, 1903, after having same under due consideration, recommend that the same do pass.

ED. G. SOURBIER,
WM. P. SPRAY,
W. A. RHODES,
FRED W. EPPERT,

Which was read and, on motion of Mr. Sourbier, concurred in.

On motion of Mr. Sourbier, the Council referred back to order of business.

REPORT FROM COMMITTEE ON ELECTIONS.

Mr. Sourbier, on behalf of Committee on Elections, to which was referred G. O. No. 9, 1903: An ordinance to divide the city of Indianapolis, Indiana, into fifteen wards, and to readjust the ward and common council boundaries of such wards, fixing the time when such ordinances shall take effect.

Made the following report:

INDIANAPOLIS, May 4, 1903.

Mr. President:

Your Committee on Elections, to whom was referred G. O. No. 9, 1903, have had the same under consideration, and submit the following amendments:

The twelfth (12th) line of the section designating the boundary of the Eleventh Ward shall be amended to read as follows, viz.: "To the center line of McCarty street, thence in an easterly direction in center line of McCarty street to center line of Delaware street." Also the fourth (4th), fifth (5th), and sixth (6th) lines of the section designating the boundary of the Twelfth Ward shall be amended to read as follows, viz.: "Center line of McCarty street, thence in westerly direction in center line of McCarty street to center line of Madison avenue, thence in southeasterly direction in center line of Madison avenue to center line of Ray street."

We recommend that the following section be adopted: Section 2. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Daily Reporter, a newspaper of general circulation printed and published in the city of Indianapolis, Indiana. And when so amended we recommend that same shall pass.

ED. G. SOURBIER.

J. H. CRALL.

Which was read and, on motion of Mr. Crall, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 22, 1903: An ordinance approving a certain contract granting the Christian Haugh Fuel Company the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, May 4, 1903.

Mr. President:

Your Committee on Railroads, to whom was referred G. O. No. 22, have had the same under consideration and recommend that same do pass.

FRED W. EPPERT.

W. H. WHEELER,

B. F. WYSONG,

ED. G. SOURBIER,

JNO. WOLSIFFER.

Which was read and, on motion of Mr. Eppert, concurred in.

REPORTS FROM SELECT COMMITTEES.

Mr. Wheeler, on behalf of Select Committee, to which was referred Resolution No. 6, 1903: Resolved, That a committee of five members of the Council be appointed to investigate present conditions as to grade crossings in Indianapolis, with instructions to ascertain whether the ordinances of said city for protection of the public are being enforced, whether there is any neglect of duty by any officials of said city in the matter of enforcing ordinances for the protection of the public at grade crossings, and that said committee shall report the results of its investigations to this Council, without delay, in order that there may be further action by this Council toward securing protection to the public at said grade crossings.

Submitted a report.

Mr. Negley raised the point of order, that the report being signed by a minority of the committee could not be accepted by the Council.

President Billingsley sustained the point of order, and the the report was not read.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

App. O. No. 10, 1903. An ordinance appropriating the sum of two hundred dollars to the Department of Finance, on account of Memorial Day, May 30, 1903, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of two hundred (\$200.00) dollars be and is hereby appropriated to the Department of Finance, for the purpose of defraying the expenses attending the proper observance of Memorial Day, May 30, 1903, and the City Comptroller is hereby authorized to draw his warrant upon the city treasury for the whole or part of the sum herein appropriated.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Board of Public Works:

G. O. No. 26, 1903: An ordinance approving a certain contract granting the Pennsylvania Co. (operating the Indianapolis & Vincennes Railroad) permission to construct a sidetrack parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reisner street, and all intervening alleys; said sidetrack to extend from a junction with the present siding about twenty (20) feet east of Miller street southwestwardly about 3,530 feet to a connection with the sidetrack of the Indianapolis Desiccating Company at Sellars Farm, the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 20th day of February, 1903, the Pennsylvania Company operating the Indianapolis & Vincennes Railroad, filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, Ind., February 20, 1903.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The Pennsylvania Company operating the Indianapolis & Vincennes Railroad hereby respectfully petitions permission to construct a sidetrack parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reisner street, and all intervening alleys; said sidetrack to extend from a junction with the present siding about twenty (20) feet east of Miller street southeastwardly about 3,530 feet to a connection with the sidetrack of the Indianapolis Desiccating Company at Sellars Farm.

The street crossings hereinbefore mentioned are shown on a blue print attached and marked "Exhibit A" and made a part of this petition.

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

THE PENNSYLVANIA COMPANY,

Operating the Indianapolis & Vincennes Railroad.

By G. V. PECK,
General Manager.

Approved:

A. P. BURG_____

Assistant Counsel.

April 8, 1903.

Approved:

W. C. CUSHING,

Chief Engineer M. of W.

Now, therefore, This agreement, made and entered into this 4th day of May, 1903, by and between the Pennsylvania Company, operating the Indianapolis & Vincennes Railroad, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth: That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Miller street, Minnesota street, Harding street, Blaine street, and Reisner street and all intervening alleys in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossings where said sidetrack or switch intersects Miller street, Minnesota street, Harding street, Blaine street and Reisner street and all intervening alleys, shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, of Miller street, Minnesota street, Harding street, Blaine street and Reisner street and all intervening alleys to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said

track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Miller street, Minnesota street, Harding street, Blaine street and Reisner street and all intervening alleys in the city of Indianapolis, as follows:

A sidetrack parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reisner street and all intervening alleys; said sidetrack to extend from a junction with the present siding about twenty (20) feet east of Miller street southeastwardly about 3,530 feet to a connection with the sidetrack of the Indianapolis Desiccating Company at Sellars Farm. The street crossings hereinbefore mentioned are shown on a blue print attached and marked "Exhibit A" and made a part of this petition.

In Witness Whereof, We have hereunto set our hands this 4th day of May, 1903.

THE PENNSYLVANIA COMPANY,

Operating the Indianapolis & Vincennes Railroad.

By G. V. PECK,

General Manager.

Witness:

E. B. DITHRIDGE.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works,

Party of the Second Part.

Approved:

W. C. CUSHING,

Chief Engineer, M. of W.

Approved:

RALPH PETERS,

General Superintendent.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action, now therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 27, 1903: An ordinance approving a certain contract granting the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. the right to construct two sidetracks parallel with and distant northwardly thirteen (13) and twenty-five and seventy-five one hundredths (25.75) feet from the main track of the said railway, extending from a point about 440 feet west of the west line of the Brookville Road, eastwardly, crossing the Brookville Road at grade and the Sherman Drive over grade to Pleasant Run, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 20th day of February, 1903, the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, Ind., Feb. 20, 1903.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company hereby respectfully petition permission to construct two sidetracks parallel with and distant northwardly thirteen (13) and twenty-five and seventy-five one hundredths (25.75) feet respectively from the main track of the said railway, extending from a point about 440 feet west of the west line of the Brookville Road, eastwardly, crossing the Brookville Road at grade and the Sherman Drive over grade to Pleasant Run.

The street crossing above described being shown on blue print attached hereto marked "Exhibit A," and made a part of this petition.

And your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

THE PITTSBURGH, CINCINNATI, CHICAGO & ST. LOUIS
RAILWAY COMPANY,

By G. V. PECK,
General Manager.

Approved:

W. C. CUSHING,

Chief Engineer M. of W.

Now, Therefore, This agreement, made and entered into this 4th day of May, 1903, by and between The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth: That the party of the first part being desirous of securing a right of way for two switches or sidetracks across the Brookville Road and Sherman Drive, in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switches or sidetracks upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be

subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said tracks or switches shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetracks or switches shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetracks or switches, or the railroad tracks with which said sidetracks or switches are or may be connected.

(3) The crossing where said sidetracks or switches intersect the Brookville Road and Sherman Drive shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said tracks or switches, and upon its failure so to do upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetracks or switches or in causing the same to be done said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to plank between said sidetracks or switches from property line to property line, of the Brookville Road and Sherman Drive, to the entire satisfaction of the second party, and in case said sidetracks or switches shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said tracks or switches, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain two switches or sidetracks across the Brookville Road and the Sherman Drive in the city of Indianapolis, as follows:

Two sidetracks parallel with and distant northwardly thirteen (13) and twenty-five and seventy-five one hundredths (25.75) feet respectively from the main track of the said railway, extending from a point about 440 feet west of the west line of the Brookville Road, eastwardly crossing the Brookville Road at grade and the Sherman Drive over grade to Pleasant Run.

The street crossing above described being shown on blue print attached hereto marked "Exhibit A" and made a part of petition.

In Witness Whereof, We have hereunto set our hands this 4th day of May, 1903.

THE PITTSBURGH, CINCINNATI, CHICAGO & ST. LOUIS
RAILWAY COMPANY,

By G. V. PECK,
General Manager.
Party of the First Part.

Witness:

E. B. DITHRIDGE.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works,
Party of the Second Part.

Approved:

W. C. CUSHING,
Chief Engineer M. of W.

Approved:

RALPH PETERS,
General Superintendent.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action, now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 28, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of May, 1903, between the city of Indianapolis, by and through its Board of Public Works, and the Consolidated Traction Company, whereby said company is authorized to run and operate its inter-urban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

Whereas, heretofore, to wit: On the 4th day of May, 1903, the city of Indianapolis, by and through its Board of Public Works, entered into the following contract and agreement with the Consolidated Traction Company namely:

This Agreement, made and entered into on this, the 4th day of May, 1903, by and between the city of Indianapolis, Marion County, Indiana (hereinafter called the city), by and through its Board of Public Works, party of the first part, and the Consolidated Traction Company (hereinafter called the company), a corporation duly organized and incorporated under and by virtue of the laws of Indiana, party of the second part.

Witnesseth: That whereas, the said Consolidated Traction Company has presented its written petition to the Board of Public Works of said city of Indianapolis, asking permission to be allowed to run and operate its interurban cars into said city along certain streets therein and hereinafter named, and over the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, and to carry passengers, mail, express matter, baggage and freight through and into such city on such cars; and,

Whereas, By the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning street railroad companies in cities the population of which exceeds one hundred thousand; repealing all laws in conflict with this act, and declaring an emergency," which became a law without the Governor's signature, on the 3d day of March, 1899, the use of the said tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company shall be upon such conditions and under such regulations as the Board of Public Works and Common Council of such city shall prescribe.

Now, therefore, The said Board of Public Works of said city of Indianapolis, in consideration of the several agreements of the said company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, and empower and permit the said Consolidated Traction Company subject to the conditions hereinafter prescribed and expressed, to operate and run its cars upon and over its own and the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, now or hereafter laid and in use in the following streets and avenues of said city, to wit:

Beginning at the point where the west line of the first alley west of Concord street in said city intersects with Walnut street; and thence in and along Walnut street to the intersection of Walnut street and Holmes avenue; thence in and along Holmes avenue to the intersection of Holmes avenue with West Michigan street; thence over and upon the West Michigan street line of street railroad of the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company in West Michigan, Blake, New York, West, West Washington street, Capitol avenue, Market and Ohio streets to the passenger station and terminals to be constructed by said traction and terminal company in the square bounded by Ohio, Illinois and Market streets and Capitol avenue, as and for the terminal and central point in said city to and over which the cars of said Consolidated Traction Company are to be operated.

And to run the same over and upon such other line or lines of the said Indianapolis Street Railway Company and Indianapolis Traction and Terminal Company as shall be designated by said company for the purpose of storing, cleaning and repairing its cars when necessary, and for the purpose of reaching the freight terminal to receive and discharge freight therein.

Provided, however, That at any time within one year from the taking effect of this contract, the said company, party of the second part, the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the Board of Public Works, may designate and determine upon a different

route for the cars of said second party than the one heretofore designated, over that part of the line and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company which are now situated, or hereafter may be constructed, in the streets between New York street on the north; South street, on the south; East street, on the east; and West street, on the west; which route is to remain unchanged for five years. But in the event said company, party of the second part, and the said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company can not agree on a route for such cars over the said line and tracks in and between said streets, or in the parts of said New York, South, East, and West streets forming a boundary as above described, or in the event they fail, neglect or refuse to designate said route before said date, to the satisfaction and approval of the Board of Public Works, the said Board of Public Works shall have the right and power to arbitrarily determine and establish said route over the tracks of said Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company in the boundary parts of said streets above mentioned, or in any street or streets within such boundary, but in such a way that such route will connect with the other part of the line over which said company, party of the second part, enters the city, and at the same time connect with the central point and terminals to be provided and constructed by the Indianapolis Traction and Terminal Company under its contract with the City of Indianapolis, Indiana.

Provided, further, however, That after said route is determined and established in accordance herewith, such route shall remain as so fixed for a period of not less than five years, but at any time after five years, and at the end of any and every interval of five years thereafter, the said Board of Public Works, or the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, with the consent and approval of the said Board of Public Works, may change said route in said streets and within the boundary aforesaid, but, however, so as to connect with said central point and passenger terminal, and said station or terminal for the receipt and delivery of express and freight, which are to be and remain the central points and terminals for passengers and express or freight for said second party. But in making such changes the route to be so fixed for the cars of said second party shall be upon the parts of New York, South, East and West streets, designated above, or within the boundary formed thereby.

And that, for the purpose of storing, cleaning and repairing its cars, when necessary, the said company, party of the second part, may also run the same over the tracks of said Indianapolis Street Railway Company and of said Indianapolis Traction and Terminal Company, subject to the conditions hereinafter set forth, as follows:

The above grant is made upon the following express conditions:

1. That after entering the city of Indianapolis, all regular passenger cars of said company, party of the second part, shall stop at all intersecting streets on signal from waiting passengers, or passengers on such cars desiring to leave the same, and shall take on and carry all passengers desiring to take passage on any such cars for the purpose of being transported between different points on the line over which said cars are operated in said city: Provided, That such cars shall not be stopped at any such street for a longer time than is necessary to take on and discharge such passengers, and that no baggage other than hand baggage, nor express or freight matter shall be unloaded or taken on any such car at any such crossing.

2. The said company, party of the second part, shall charge five cents for a single fare between any two points in said city on its lines, and any passenger who shall pay a single fare of five cents shall be entitled to ride in the car upon which he took passage to any point on

the line of such company, within such city, as follows: If on an incoming car to the terminal point, and if on an outgoing car to the corporate limits of said city: Provided, however, That said company shall not discriminate, either in fares or freight rates, in any manner whatsoever, against passenger or freight traffic to or from the city of Indianapolis, in favor of any other point on the line of railroad operated by said company.

3. The said company, party of the second part, shall run and operate its cars in said city with reference to the time schedule of the cars being operated on said lines by the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, which cars shall have the right of way, and so as not to delay or interfere in any wise with the running and operation of the cars of either of said companies or to interfere with any schedule for the running of the said cars of either of said companies which may hereafter be fixed by the Board of Public Works, and the said cars of the said company, party of the second part, shall be so operated as not to interfere in any way with public travel at street or alley crossings, nor in any way to violate any obligation of either of said companies under the law or any ordinance of the city of Indianapolis, or any other municipality, now in force or which may hereafter be in force, or of the contract between said Indianapolis Street Railway Company and said city dated April 7, 1899, or of the contract between said Indianapolis Traction and Terminal Company and said city, or any other existing grant or contract of either of said companies, whether made to or with said companies or either of them or some other person or corporation, to the rights and obligations of which either of said companies has succeeded.

The right is expressly reserved to the said Board of Public Works to fix time schedules for the running of all the cars of said company, party of the second part, passing on and over the streets of said city, to the end that there shall be uniformity and regularity in the running of all the cars of the several companies in said city, and also prompt and efficient service: Provided, That said company shall, between the hours of 6 o'clock a. m. and 11 o'clock p. m., run, at least, one car every two hours.

4. The cars of said company, party of the second part, shall not be stopped, either for the receiving or discharge of passengers, or for any purpose other than to avoid collisions or casualties, at any point in such city, except at street crossings, as hereinafter provided, and at its designated central point and terminals. In stopping its cars at street crossings, said company, party of the second part, shall at all times be governed by the rules, regulations, ordinances or contracts which are in force governing the stopping of the cars of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company at such crossings, or other places in said city.

5. The said company, party of the second part, may at all times carry in its passenger cars, or in suitable compartments thereof, provided for such purpose, or in mail, express or freight cars of a style and pattern to be approved by the Board of Public Works, such baggage belonging to its passengers, being transported in such passenger cars, as is usually allowed to be carried by passengers in steam railroad companies' cars, and also the United States mail, and such express matter and merchandise as may be enclosed in boxes, crates and parcels, so as to be easily handled, and so as not to be unsightly in appearance or offensive to sight or smell, and also such packages and parcels as are usually carried and delivered by messenger service: Provided, That no live animals (except hunting dogs) shall be carried in any such cars or in any such compartment at any time: And, provided, further, That all baggage (other than hand baggage), express matter, parcels, and articles of merchandise carried as aforesaid shall be delivered at the

station and terminals herein referred to, for distribution, and that in no case shall any such baggage (other than hand baggage) or any express matter, parcels or merchandise be loaded or unloaded in or upon any of the streets, alleys, avenues or public grounds of said city, except at said station or terminals. Provided, also, That fowls, properly secured in boxes or coops, may be carried in said cars between the hours of 12:30 a. m. and 4:30 a. m.

6. The said company, party of the second part, shall not be permitted under any circumstances to transport in its cars through or over the streets, alleys or avenues of such city, live animals of any kind, other than hunting dogs. Said company, subject to the conditions hereinafter prescribed, shall be permitted to haul and handle freight other than that designated in section 5, when a station or terminal for the receipt and delivery of freight shall have been provided. After such terminal or station shall have been provided, the said company may deliver freight, other than live animals, not of a character offensive to sight or smell, into such station or terminal, where the same may be held for delivery to any part of said city, or for transfer to steam railroad lines, or to the lines of other suburban or interurban companies which may be able to transport the same under any ordinance regulating such transportation. Until such station or terminal for the receipt and delivery of freight shall have been provided, said company, for the purpose of loading and unloading its cars, shall have the right, by first securing the consent of the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, to stand said cars upon some line of "dead track" of said Indianapolis Street Railway Company or said Indianapolis Traction and Terminal Company: Provided, That the selection of such "dead track" shall be first approved by said Board of Public Works: And provided, further, That such cars shall not be allowed to stand more than fifteen (15) minutes at any one time in loading or unloading.

The right is hereby expressly reserved by the Board of Public Works and Common Council of said city to regulate by order or ordinance the carrying of the freight, merchandise, or property of any kind described in sections 5 and 6 of this contract, through the streets, alleys and avenues of said city, and at any time during the term of this contract, to change the route of cars of said company, used exclusively for carrying mail, express or freight, over the lines and tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, but only in such a way that such route shall connect with the other part of the line on which said company enters the city, and at the same time connect with the station or terminal for the receipt and delivery of freight herein referred to.

7. The rates charged and collected by such company for the carriage of freight matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like freight matter between the same points by other common carriers of freight; and the rates charged and collected by such company for the carriage of express matter between Indianapolis and points on its lines shall not exceed those charged and collected for the carriage of like express matter between the same points by other common carriers of express matter.

Provided, however, That such company shall never be compelled to charge or collect less than eighty (80) per centum of the published rates now charged for the carriage between the same points of freight or express matter, as the case may be, by other common carriers of freight or express matter between such points.

Provided, further, That the maximum rates which such company may charge hereunder shall not apply to freight of other classes than classes 1, 2, 3 and 4, as such classes are defined by the classification in use on January 1, 1902, by the railroad companies operating between

Indianapolis and such other points, such classification being that known as "Official Classification No. 22," copyrighted in 1902 by C. E. Gill, chairman.

8. The cars to be run and operated by said company, party of the second part, shall be propelled by electric power only: Provided, That if the Board of Public Works and Common Council of said city, under the power reserved to them under the contracts entered into between said city and the Indianapolis Street Railway Company and said Indianapolis Traction and Terminal Company, shall by order or ordinance require said Indianapolis companies to introduce any other improved method of propulsion, then and in such case, the said company, party of the second part, shall adopt and use such improved methods in the propulsion of its cars running within such city, if so ordered by the Board.

9. If the said company, party of the second part, shall hereafter be permitted to set poles and string wires in said city, or construct therein any other electrical appliances for the propulsion of its cars, the same shall be so constructed by providing for an independent return circuit for the electricity used, or by such approved scientific methods as will prevent any injury by any such current of electricity to water pipes, gas pipes or any other property in, under or upon any of the streets, alleys or avenues aforesaid, or elsewhere within said city, and the said company, party of the second part, shall hold the city free and harmless from all damages of every nature whatsoever resulting to any person or property on account of injury caused by the electrical currents of said company, or by the construction or operation of the street railway cars of said company.

10. If the said company, party of the second part, shall hereafter be permitted to construct any tracks within said city, or if hereafter any of the tracks of said company shall by annexation be brought within the limits of said city, then the said company or its assigns shall, when ordered so to do by the Board of Public Works, pave the space between all rails, including the space between its tracks where there are double tracks, switches or sidetracks, and for a distance of eighteen inches on the outside of the outside rails of its tracks, and shall at all times make all necessary repairs in such space, under such specifications, both as to material and manner, as may be provided by said Board, and under the supervision of the City Civil Engineer of said city. It is also agreed that said company, party of the second part, or its assigns, shall, in the construction and maintenance of any such track, construct and maintain the same in all respects in the same manner as the Indianapolis Street Railway Company is required by contract and ordinance to construct and maintain its tracks within such city, and the obligation of said company, party of the second part, or its assigns, to pave, improve and repair the space between its tracks and for eighteen inches on the outside of the outside rails thereof shall be the same as the obligation of the said Indianapolis Street Railway Company to pave, improve and repair the space between its tracks under the provisions of its said contract with said city and the ordinance ratifying the same, which ordinance, passed by the Common Council of said city on the 7th day of April, 1899, is by reference made a part of this contract.

11. The said company, party of the second part, shall during the entire period for which this franchise is granted so operate its cars in said city as to render the public at all times first-class and efficient service; that the motive power furnished by said company shall at all times be ample and of the most approved kind; that its cars shall be of the best and most approved pattern, style and finish; at all times kept clean, well ventilated, provided with comfortable seats for passengers and heated with safe and convenient appliances whenever the weather is such that the comfort of passengers requires the same, and lighted at night with electricity, or subject to the approval of said

Board of Public Works, with other equally efficient light; that all such cars shall be kept in good repair, and shall at all times be so painted on the outside and decorated on the inside as to present an attractive appearance, and shall be repainted and redecorated from time to time as may be necessary to maintain such appearance; that each of such cars shall be provided with the most approved life guards, and all other modern appliances for the safety of its passengers and employes, including a headlight, which, if an electric arc light, shall be so screened or shaded while said cars are within the city limits as not to interfere with the vision of approaching persons or animals; that each of such cars shall have thereon the name of the said company, or the point of its destination, in letters of such size that the same may be readily discerned and read by persons of ordinary eyesight, and that at night such name shall be so illuminated or displayed that the same may be readily and easily seen and read by persons desiring to take passage in such cars; that the tracks of such company which may come within such city by extension of its boundaries or hereafter be permitted to be constructed or owned therein, shall at all times be kept in repair, provided with the most modern and improved rails of sufficient size and weight and in such condition that passengers riding in cars over the same shall suffer no discomfort or inconvenience by reason of such tracks or any part thereof being irregular, uneven or in any wise insufficient, and the right is reserved to the Board of Public Works of such city to order any needed repairs to said tracks or roadbed, or cars or appliances, and the said company, party of the second part, agrees to comply with all such orders. The said cars to be used by said company, party of the second part, together with all the machinery, appliances and appurtenances thereof, shall be suitable and adapted to be operated upon the tracks of the Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, without injury to said tracks or any of the appurtenances thereof, or the pavement required to be kept in repair by said companies, provided such pavement shall not be laid or maintained above the level of the head of the rail, and shall at all times be so operated as to not injure the same, or any of the cars or other property of either of the said companies.

In case the said company, party of the second part, shall fail to comply with any of the foregoing agreements or stipulations contained in this clause, concerning motive power, the kind of cars to be used, or the equipment, painting, decoration, heating, lighting or designating the same, or concerning life guards and appliances for the safety of passengers and employes, rails, roadbed or other stipulations herein contained concerning the operation, maintenance or construction of its line of street railway and cars, or in case said company shall fail to comply with any of the stipulations or provisions of this contract, and the Board of Public Works shall, by written notice, served on any officer of said company, require compliance with any such stipulation within a reasonable time therein fixed, and said company shall continue to fail and refuse, after any such period so fixed, to comply with any such provision or stipulation, or notice or order of the Board pertaining thereto, then said company shall forfeit to said city the sum of fifty dollars (\$50.00) for each day that it shall continue to violate any such provision or stipulation, which sum may be collected without relief from valuation or appraisement laws, either by suit on any bond which may be given by said company for the performance of the conditions of this contract or otherwise, by instituting any proper proceedings to recover said forfeiture, as the said Board may elect: Provided, That nothing herein contained shall be construed as an attempt to abridge or in any wise restrict the power of the Common Council of said city to enact reasonable ordinances providing for the safety, comfort or convenience of the public traveling on the cars of said company within

said city, and also providing reasonable penalties for the violation thereof.

In further consideration of the grant herein and hereby made, said company, party of the second part, agrees and binds itself to pay to said city on the 1st day of January, 1903, and annually thereafter during the term of this franchise, the sum of one cent per round trip for each and every round trip made by any car of said company over the streets of said city during the year preceding said date, and in consideration of such agreement of said company to make said payments, and of said payments, said city undertakes and agrees that it will not at any time impose on or exact from said second party, its successors or assigns, or its or their property, or require to be paid by it or them any other sum or sums as or for a franchise or car tax or charge, or any other special tax or charge than those above provided to be paid, but nothing in this contract contained shall affect the liability of said company, its successors or assigns, to general taxation.

This contract shall take effect and be in force from and after the date of its approval and ratification by an ordinance of the Common Council, until the 7th day of April, 1933.

The limitation of time is one of the essential and governing conditions of this contract, and at the expiration of said period the rights of said company, party of the second part, to run or operate its cars within such city shall absolutely cease, and all rights under this contract shall terminate, and it shall be deemed and held a trespasser if it shall undertake to run or operate any car over any such street after that time.

Neither this contract nor any of the rights or privileges named therein shall ever be assigned or transferred by said company to any person, firm or corporation without the written consent of the said Board of Public Works, duly entered upon the records of said Board, first being given, and in the event of any such transfer or assignment without the said written consent of said Board of Public Works, then all rights and privileges of said company under the contract shall absolutely cease and become void, and said company shall be deemed and held a trespasser if it shall thereafter undertake to run or operate any car over any street or alley of said city.

And it is also agreed and understood that the said company, party of the second part, shall not permit to be used or operated on its said line within said city any car or cars by any other person or corporation, without the consent of the Board of Public Works entered upon the records of such Board, and until after terms for compensation for such use have been agreed upon with said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, or fixed as provided by law. It is further agreed and understood that the right to use the tracks of said Indianapolis Street Railway Company and the Indianapolis Traction and Terminal Company, hereby granted, is subject to the payment by said company, party of the second part, to said railway companies respectively, of compensation for such use as fixed by agreement or judgment of the proper court, as and when such compensation shall become due and payable, and that in default of such payment, and so long as such default shall continue, said railway companies, or either of them, shall have the right to exclude said company, party of the second part, from such use.

12. The said company, party of the second part, before exercising any of the rights hereby granted, shall execute to the city of Indianapolis a good and sufficient bond in the sum of ten thousand dollars (\$10,000.00), with good and sufficient sureties to be approved by the said Board of Public Works, conditioned that the party of the second part shall faithfully carry out and perform each and every agreement herein contained, and shall well and truly pay to said city all penalties, forfeitures and other sums of money, for which, under the terms of this

contract, it may become liable to said city; and said bond shall be renewed from time to time during said period on the demand of the Board of Public Works of said city, whenever by reason of the insufficiency of the surety thereon or the impairment of the amount thereof by reason of the accumulation of unpaid penalties, forfeitures, judgments or other claims against said company, in favor of said city, the said Board deems such renewal necessary.

And in case the said company, party of the second part, shall on the reasonable demand of said Board fail or refuse to renew such bond or furnish additional surety thereon as may be required, then its rights under this contract shall cease, and the franchise herein granted be forfeited, which forfeiture may be enforced in any court of competent jurisdiction.

Any right which might be claimed by said company, party of the second part, to run or operate any car in or on any street of such city, after the expiration of said period, either under the provisions of the statute under which it was incorporated, or any other statute or ordinance now existing, is hereby expressly waived.

In Witness Whereof, said parties have hereunto set their hands and seals this 4th day of May, 1903.

(Seal)

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works of said City.

CHARLES A. BOOKWALTER,

Mayor.

CONSOLIDATED TRACTION COMPANY,

By EDWARD HAWKINS,
President.

Attest:

GUY E. HAWKINS,

Secretary.

And Whereas, Said contract and agreement has been submitted by said Board of Public Works of said city of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the foregoing contract and agreement made and entered into on the 4th day of May, 1903, by the city of Indianapolis, by and through its Board of Public Works, and the Consolidated Traction Company, be and the same is hereby in all things ratified, confirmed and approved, and said Consolidated Traction Company is hereby granted all rights, privileges and franchises as in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Contracts and Franchises.

MISCELLANEOUS BUSINESS.

The following communication was offered by President Billingsley:

INDIANAPOLIS, May 1, 1903.

To the President and Members of the Common Council:

Gentlemen—The executive committee of the Citizens' League of Indianapolis respectfully petitions and says:

The law makes it the duty of the City Clerk to keep a correct and complete docket of all cases in the police court and of all fees, fines, penalties, forfeitures, judgments, executions, decrees and orders therein and to collect, prosecute and receive payment of the same and of all money coming to the city from the enforcement of any of the laws thereof.

At the close of each day's session of said court it is made the duty of the City Clerk to make out and deliver to the Police Judge a written report of all cases in which he has received or collected any moneys during said day and to forthwith pay over all such moneys to said Judge and take his receipt therefor. It is the duty of the Police Judge to pay all such moneys so received into the City Treasury.

In case a fine is stayed, it is the duty of the Clerk to take ample security that the fine and costs will be paid at the end of the stay and in case of default to proceed promptly to the collection. The means of collection of all moneys due the city from transactions in the Police Court are ample to an extreme and enable the Clerk to perform his duty with great efficiency.

The present City Clerk, Charles N. Elliott, has not made daily settlement with the Police Judge as the law requires. His settlements have usually been made once in fifteen days. The excuse is made that former clerks followed the same practice and that the practice grew up with the consent of various police judges. This committee does not deem this excuse for the violation of the plain requirement of the law and of sound business principles, worthy of consideration.

The present City Clerk has not performed his duty in the collection of moneys due the city. A large sum of money made up of various items has long been due the city and he has not made the effort required by law to collect the same. It is charged in the public press and the charge, as yet undisputed, is accompanied by a long array of items, that the City Clerk has let convicted persons go without taking any security for a stay and in other cases has taken inadequate or worthless security. The number of these cases and the amount involved, as well as the neglect to collect fines and costs generally, is such as to give ground for the suspicion that the Clerk favors certain classes of law breakers of this city. The excuse is made by the City Clerk that he has collected more moneys than any other Clerk did. In view of his ample powers for making collections this committee does not deem his excuse entitled to consideration. If convicted persons are, after all, to go unpunished it is useless for the city to maintain a police court.

On March 24, 1903, Police Judge George W. Stubbs went out of office, having been appointed Judge of the Juvenile Court. He made his final settlement with the City Treasurer on April 1, 1903. This committee found that on April 21, 1903, he made an additional payment to the City Treasurer. Upon inquiry by this committee Judge Stubbs stated that the amount last paid, \$937.90, was not in his hands at the time when he made his final settlement but that the same was paid to him by the City Clerk on the 18th day of April, 1903, several weeks after he had ceased to be Police Judge, by the personal check of the City

Clerk dated April 2d, 1903, upon the Capital National Bank of Indianapolis, marked "on personal account," while all other settlements had been made by the official check of the City Clerk. That this amount was turned over to him as fines and penalties collected by the Clerk while Judge Stubbs was still in office. That no written report of the cases in which the money had been collected was made. That accompanying the check was a memorandum purporting to give the months and year in which the money was collected. That the memorandum was as follows:

"Fees and Fines.

1901—	
November	\$90 00
December	60 00
1902—	
April	82 00
April	176 00
May	82 00
May	75 00
June	56 00
July	59 40
July	30 00
July	25 50
August	102 50
September	88 50
September	11 00"

The City Clerk made to Judge Stubbs an explanation which Judge Stubbs informed this committee was not satisfactory, but which he declined to repeat unless compelled to do so under oath.

By reason of the premises this committee requests that this matter be referred to the committee now investigating the street sprinkling and sweeping contracts, with full power to investigate the records of the City Clerk's office during the incumbency of Charles N. Elliott and that the books and accounts of that office be audited by an expert.

Respectfully,

THOMAS C. DAY,
WILLIAM FORTUNE,
FRANCIS HENRY GAVISK,
THEODORE E. GRIFFITH,
GEORGE EDWIN HUNT,
AUGUSTUS L. MASON,
LUCIUS B. SWIFT,

Executive Committee.

Which was read.

The following communication was offered by President Billingsley:

To the President and Members of the Common Council:

Gentlemen—In answer to the petition of the executive committee of the Citizens' League recently communicated to your body requesting an investigation of the records of the City Clerk's office during my incumbency, I desire to submit the following statement in connection therewith:

I have complied with the law in keeping a correct and complete docket of all the cases in the police court and of all fees, fines, penalties, forfeitures, judgments, executions, decrees and orders therein. This record is open and always has been open to any one for examination, and every dollar paid into this office appears upon this docket. I

am frank to say, however, that in making settlements with the judge I did so from the judge's cash book without verifying the items therein with the docket. The judge's cash book is made up by transferring the entries from the clerk's cash book to the judge's cash book; and the clerk's cash book is made up by transferring the entries from the stubs of the clerk's receipt book, which is made up as payments of money are made into the office. In making these various transfers and footings (sometimes by myself and sometimes by either of the two clerks) errors occurred, and by not verifying the judge's cash book each time by the docket the errors were not discovered at the time of settlement with the judge.

When it became known that Judge Stubbs would retire as police judge, I deemed it prudent to verify the books so as to detect any error that might have occurred during my term of office, and at that time I entered upon an examination of the books, which examination has not been entirely completed. In that examination I found the items referred to in the memorandum furnished Judge Stubbs at the time of the payment to him of the sums I found due, which memorandum is contained in the communication to you from the Citizens' League. At the time this memorandum was made, as I have stated, I had not completed the examination of the books, and since said time I have found additional errors and made settlement accordingly, which I will continue to do until I am positive the books are correct. This investigation of the books was long and involved the examination of over ten thousand cases; there were over sixty-five hundred cash entries made, which must be compared with the original docket in order to detect the errors, if any. I made this examination voluntarily and without any suggestion from the Citizens' League, or any person, and the money found due was paid over to Judge Stubbs in an open and frank way without any attempt or disposition on my part to cover up or avoid the result of the examination in any way, and I am unable to see where the Citizens' League is entitled to any credit for having found what I myself had voluntarily done in making good the discrepancies of the office. The Citizens' League never examined the books of the office, and so far as I know, never offered or threatened to do so, and all that has been done and all errors that have been found was by my own voluntary act and made a public record as soon as found, the same as all other transactions in connection with this office. The money found to be due in this examination and voluntarily paid over by me has at all times been secured to the city and State by reason of my official bond, as its receipt was originally entered upon the court docket. The city and State has at no time been in danger of losing a single dollar, and whether the money was in my hands or in the hands of the judge could make but very little difference to the city or State, as under the law the judge is not required to settle with the treasurer oftener than once in six months or one year, which has been the practice of all the former judges.

It is true the law provides that at the close of each day's session of court the clerk shall make out and deliver to the judge a written report of all cases in which he has received or collected any money during said day and shall forthwith pay over all such moneys to said judge and take his receipt therefor.

Whether this is intended to be mandatory or simply directory I do not care to discuss, but it is apparent to any one that the clerk can not settle with the judge unless the judge desires to settle with the clerk. Judge Stubbs, as well as other judges who have occupied the position since the present charter was adopted, has found it impractical on their part to settle with the clerk every day and have not done so nor desire to do so. All of the judges, except Judge Stubbs, settled with the clerk once in thirty days, instead of once in fifteen days, as has been his practice. In fact, the clerks have not been responsible for

this practice at all, and while the executive committee of the Citizens' League may deem no excuse for a violation of the plain requirements of law and sound business principles worthy of consideration, I think any of the ex-judges can undoubtedly explain to you why it is impractical, and why they have not desired a settlement with the clerk every day, better than I can do it.

I deny that I have not performed my duty in the collection of money due the city; on the contrary, I assert that the records will show that I have collected over seventeen thousand dollars more in costs and fines than my predecessor had collected for the same and corresponding period of time.

As to taking worthless security in staying executions, I wish to state that unless otherwise ordered by the court the persons giving bond have been required to qualify as being worth in excess of one thousand dollars, and to say that no losses should occur in the collection of these costs and fines would be unreasonable and contrary to the experience of every business man, but to say that I have not been diligent and careful in the collection of these fines, or that I have favored certain classes of law-breakers of this city, is untrue.

I say now the books of this office are absolutely correct, and that every dollar that has been received by me through this office has been turned over to the proper parties; and I now invite and request your honorable body or the Citizens' League, or any other person or persons, to make a thorough examination of the books and to investigate my conduct in reference to the discharge of my duties in any way and for any purpose that may seem desirable.

Respectfully,

C. N. ELLIOTT,
City Clerk.

Which was read.

Mr. Wynne introduced the following resolution:

INDIANAPOLIS, May 4, 1903.

To the President and Members of the Common Council:

Resolution No. 7, 1903: Whereas, The regular Investigation Committee is too busy to take up another investigation at this time.

Resolved, That the President appoint a special committee of three to examine into the charges made by the executive committee of the Citizens' League of Indianapolis in its letter dated May 1, 1903, said committee to examine records of City Clerk and Police Judge, and report the conditions and facts to the Council as they find them.

T. A. WYNNE.

Which was read and adopted by the following vote:

Ayes, 21. viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

Whereupon President Billingsley appointed the following committee: Messrs. Negley, Crall and Wahl.

On motion of Mr. Negley, the communications from the Citizens' League and City Clerk, were referred to special committee, appointed to examine records of City Clerk.

ORDINANCES ON SECOND READING.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 13, 1903: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to station and maintain a flagman at the crossing of Georgia street, by the tracks of said company, and fixing a time for its taking effect.

On motion of Mr. Sourbier, G. O. No. 13, 1903, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 21, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 9, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 9, 1903, was then ordered engrossed, read a third time, and failed of passage for want of a constitutional majority, by the following vote:

Ayes, 10, viz.: Messrs. Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wynne, Wysong, and President Billingsley.

Noes, 11, viz.: Messrs. Berry, Holliday, Kelly, Meyer, Moriarity, Shea, Spray, Wahl, Warweg, Wheeler and Wolsiffer.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 14, 1903: An ordinance requiring the Lake Erie & Western Railroad Company, The Chicago, Indianapolis and Louisville Railroad Company, to station and maintain a flagman at the crossing of Sixteenth street, by the tracks of said companies, and fixing a time for its taking effect.

On motion of Mr. Sourbier, G. O. No. 14, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 21, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 23, 1903: An ordinance regulating the running of automobiles through the streets, alleys or public driveways of the city of Indianapolis; and providing penalties for the violation thereof, and fixing the time when the same shall take effect.

On motion of Mr. Sourbier, G. O. No. 23, 1903, was amended as recommended by committee report.

On motion of Mr. Sourbier, G. O. No. 23, 1903, was then ordered engrossed, as amended, read a third time, and passed by the following vote:

Ayes, 21, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 9, 1903. An ordinance to divide the city of Indianapolis, Indiana, into fifteen wards, and to readjust the ward and common council boundaries of such wards, fixing the time when such ordinances shall take effect.

On motion of Mr. Sourbier, G. O. No. 9, 1903, was amended as recommended by committee report.

On motion of Mr. Sourbier, G. O. No. 9, 1903, was then ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 13, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Spray, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 22, 1903: An ordinance approving a certain contract granting the Christian Haugh Fuel Company the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 22, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 21, viz: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsly.

Noes: None.

On motion of Mr. Berry, the Common Council at 9:15 o'clock p. m. adjourned.


.....
President.

ATTEST:


.....

City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, May 11, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, May 11, 1903, at 4:00 o'clock p. m., in special session.

The President and Vice-President being absent, Mr. Charles N. Elliott, City Clerk, called the meeting to order. The roll was called with the following result:

Present, 14, viz.: Messrs. Berry, Cooper, Crall, Holliday, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Spray, Wahl, Warweg and Wynne.

Absent, 7, viz.: Messrs. Eppert, Kelly, Rhodes, Wheeler, Wolsiffer, Wysong and President Billingsley.

The City Clerk stated the first business in order to be the election of a presiding officer *pro tem*.

Whereupon Mr. Wynne placed in nomination Mr. John H. Crall. There being no further nominations, City Clerk Elliott cast the unanimous vote of the body for Mr. Crall, and declared him duly elected President *pro tem*. of the Common Council.

Mr. Crall took the chair and ordered that the call for the special meeting be read.

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, May 11, 1903.

To the City Clerk, President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me, as Mayor of the city in Indianapolis, Indiana, under Section 12 of the City Charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 4:00 p. m., on May 11, 1903, in the Council Chamber of said city for the purpose of taking action on and passing an ordinance appropriating \$5,000.00 to the Contagious Disease Fund of the Board of Health and Charities.

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, May 11, 1903.

To the President and Members of the Common Council:

Gentlemen—I desire to call your attention to the emergency existing in the Department of Public Health and Charities, which emergency has caused me to ask you to meet to day in special session. There is at this time less than \$200.00 available for the care of the patients now in the contagious hospital, and for the maintenance of the necessary quarantines in various sections of the city, and unless immediate provision is made for the continuance of the care and maintenance of these quarantines, it may be necessary for the city to adopt such measures as would most seriously reflect upon this municipality.

Indianapolis is not in a position where it requires the help of the State Board of Health. The City Comptroller has recommended that an appropriation be made out of funds not otherwise appropriated, and has made such recommendation only after careful consideration of the other needs of the city government. I cannot bring myself to believe that the members of your honorable body have been fully informed as to the necessity for this appropriation.

Indianapolis, during the past winter, owing to the masterly manner in which the emergency then existing was handled by the Health Board, escaped a most serious epidemic of smallpox, and I feel that it would be a serious mistake, subjecting all branches of the city government to just criticism, should any effort required to permanently stamp out this disease not be put forth. I, therefore, earnestly urge that this appropriation be made at once. The funds available at present will not maintain the Contagious Hospital and the various quarantines longer than Tuesday noon. I remain,

Very truly yours,

C. A. BOOKWALTER,
Mayor.

Which was read and referred to Committee on Finance.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.

INDIANAPOLIS, May 11, 1903.

To the President and Members of the Common Council:

Gentlemen—I respectfully recommend the passage of an ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, to be credited to the fund known and designated a "Prevention of Contagious Disease" fund.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

App. O. No. 11, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that there be, and is hereby appropriated the sum of five thousand dollars (\$5,000.00) for the use of the Department of Public Health and Charities, to be credited to the fund known and designated as the "Prevention of Contagious Disease" fund.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

Mr. Wheeler, arrived and took his seat.

Mr. Rhodes, arrived and took the chair of President *pro tem.* of the Council.

On motion of Mr. Wynne, the Council went into recess for five minutes.

The Council reconvened at 4:30 o'clock.

REPORT FROM COMMITTEE ON FINANCE.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 11, 1903. An ordinance appropriating the sum of five thousand dollars (\$5,000) for the use of the Department of Public Health and Charities, and fixing a time when same shall take effect.

Made the following report:

INDIANAPOLIS, May 11, 1903.

To the President and Members of the Common Council:

Mr. President—Your Committee on Finance, to whom has been referred App. Ord. No. 11, 1903, beg leave to report that they have had same under consideration, and recommend that Section No. 1 be amended to read as follows:

Be it ordained, by the Common Council of the city of Indianapolis, Indiana, that there be, and is hereby appropriated, the sum of two thousand five hundred (\$2,500.00) dollars, for the use of the Department of Public Health and Charities, to be credited to the fund known and designated as the "Prevention of Contagious Disease" fund. And when so amended, we recommend its passage.

T. A. WYNNE.
JNO. H. CRALL.
LEW W. COOPER.
JAMES E. BERRY.
JAMES D. MORIARITY.

Which was read and, upon motion of Mr. Wynne, concurred in.

ORDINANCES ON SECOND READING.

Mr. Crall moved that the title of App. O. No. 11, 1903, be amended to read two thousand five-hundred dollars (\$2,500), instead of five thousand dollars (\$5,000).

Which motion prevailed.

Mr. Wynne moved that the constitutional rules be suspended, for the purpose of placing the following entitled Ordinance on its final passage:

App. O. No. 11, 1903. An ordinance appropriating the sum of five thousand dollars (\$5,000) for the use of the Department of Public Health and Charities, and fixing a time when same shall take effect.

Which motion was unanimously adopted.

On motion of Mr. Wynne, App. O. No. 11, 1903, was amended as recommended by Committee report.

On motion of Mr. Crall, App. O. No. 11, 1903, was ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 16, viz.: Messrs. Berry, Cooper, Crall, Holliday, Meyer, Moriarity, McFarland, Negley, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wynne, and Vice-President Rhodes.

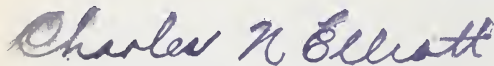
Noes: None.

On motion of Mr. Berry, the Common Council at 4:45 o'clock p. m. adjourned.



President pro tem.

ATTEST:



City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, May 18, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, evening, May 18, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 15 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg Wolsiffer, Wynne, Wysong.

Absent, 5, viz.: Messrs. Holliday, Kelly, Meyer, Moriarity and Wheeler.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communications:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, May 9, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 23, 1903: An ordinance regulating the running of automobiles through the streets, alleys and public driveways of the city of Indianapolis, and providing penalties for the violation thereof, and fixing a time when the same shall take effect.

G. O. No. 14, 1903: An ordinance requiring the L. E. & W. Railroad Company and the C. I. & L. Railroad Company to station and maintain a flagman at the crossing of Sixteenth street by the tracks of said company and fixing a time when the same shall take effect.

G. O. No. 13, 1903: An ordinance requiring the C., C., C. & St. L. Railroad Company to station and maintain a flagman at the crossing of Georgia street by the tracks of said company, and fixing a time when the same shall take effect.

G. O. No. 22, 1903: An ordinance approving a certain contract granting the Christian Haugh Fuel Company the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue, in the city of Indianapolis.

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, May 12, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 11, 1903. An ordinance appropriating the sum of twenty-five hundred dollars for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Respectfully,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller.

INDIANAPOLIS, May 18, 1903.

To the President and Members of the Common Council:

Gentlemen—I submit herewith a communication from the Department of Public Health and Charities, requesting an additional appropriation of \$5,000 for the "Prevention of Contagious Disease Fund."

I recommend that an ordinance be passed making the appropriation as requested.

Very respectfully,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES,

City of Indianapolis.

INDIANAPOLIS, May 17, 1903.

Hon. George T. Breunig, City Comptroller:

Dear Sir—I have the honor to report that it will be necessary to have additional appropriation to the Contagious Disease Fund, there have been a number of new cases reported and there are indications

that additional cases will occur. We therefore desire that you request an additional \$5,000 to be appropriated to this fund.

Very respectfully yours,

EUGENE BUEHLER,
Secretary of Board.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller.
INDIANAPOLIS, May 18, 1903.

To the President and Members of the Common Council:

Gentlemen—In accordance with the provisions of G. O. No. 47, 1902, passed by your honorable body March 2, 1903, and approved by the Mayor, March 5, 1903, I have sold \$100,000 Indianapolis Boulevard Bonds of 1903 to E. M. Campbell & Co. for \$100,243 and accrued interest.

I now recommend that an ordinance be passed appropriating the sum of \$100,000 in favor of the Department of Public Parks—\$30,000 for the south side boulevard and \$70,000 for the Fall Creek boulevard.

Respectfully,

GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

Communications from City Comptroller:

DEPARTMENT OF FINANCE,
Office of the City Comptroller.
INDIANAPOLIS, May 18, 1903.

To the President and Members of the Common Council:

Gentlemen—In accordance with communication from the Special Investigation Committee, herewith submitted, I recommend that an ordinance be passed appropriating the sum of five hundred (\$500) dollars for use of such committee in making an expert examination of the books and accounts in the City Clerk's office.

Very respectfully,

GEO. T. BREUNIG,
City Comptroller.

INDIANAPOLIS, May 14, 1903.

George T. Breunig, City Comptroller:

Sir—We, the Special Committee appointed to investigate the affairs of the office of the City Clerk of the city of Indianapolis, respectfully suggest that after having made a preliminary examination of the books in said office are convinced that if a thorough and accurate investigation is made of said books and accounts the employment of an expert accountant will be positively necessary.

We therefore ask that you recommend such appropriation as may be adequate for such purpose.

Very respectfully submitted,

H. E. NEGLEY,
JNO. H. CRAILL,
ANDREW H. WAHL.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, May 18, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit for your consideration and action thereon a general ordinance ratifying and confirming a certain contract this day made and entered into by and between the city of Indianapolis, through its Board of Public Works, and Buddenbaum & Heller, granting said firm the right to construct and maintain one switch or side-track across the alley between Fletcher avenue and Spann avenue, in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

Mr. Holliday arrived, and took his seat.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 5, 1903: An ordinance appropriating the sum of six hundred and twenty dollars to and for the use of the Department of Public Health and Charities and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, May 18, 1903.

Mr. President:

Your Committee on Finance, to whom was referred App. O. No. 5, 1903, beg leave to report that they have had same under consideration and recommend the following amendments:

Amend Section 1 to read as follows: Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be, and is hereby, appropriated the sum of six hundred and twenty dollars (\$620) to and for the use of the Department of Public Health and Charities, such sum to be credited to the "Salary Account" of the Board of Health, to be used for the payment of salary of the assistant milk inspector.

T. A. WYNNE.
LEW W. COOPER.
JNO. H. CRALL.
B. F. WYSONG,
FRED W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 10, 1903. An ordinance appropriating the sum of two hundred dollars to the Department of Finance, on account of Memorial Day, May 30, 1903, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, May 18, 1903.

Mr. President:

Your Committee on Finance, to whom was referred App. O. No. 10, 1903, beg leave to report that they have had same under consideration, and recommend that same do pass.

T. A. WYNNE.
LEW W. COOPER.
JNO. H. CRALL.
J. E. BERRY.
FRED W. EPPERT.
B. F. WYSONG.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. McFarland, on behalf of Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 25, 1903: An ordinance requiring the Lake Erie & Western Railroad and the Chicago, Indianapolis & Louisville Railway Company to erect, operate and maintain safety gates and a watchman's tower at the point in the city of Indianapolis, Indiana, where the tracks of said railroad companies cross Thirteenth street; defining the duties of said railroad companies in relation to such safety gates and watchman's tower; providing penalties for the violation thereof; providing for the publication thereof, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, May 18, 1903.

Mr. President:

We, your Committee on Sewers, Streets and Alleys, to whom was referred G. O. No. 25, 1903, beg leave to report that we have had said ordinance under consideration, and we recommend that said ordinance do pass.

J. L. McFARLAND.
ANDREW H. WAHL.
W. A. RHODES.
LEW W. COOPER.
J. S. HOLLIDAY.

Which was read and, on motion of Mr. McFarland, concurred in.

REPORTS FROM SELECT COMMITTEES.

Mr. Negley, on behalf of special committee appointed to investigate the office of the City Clerk, of the city of Indianapolis.

Made the following report:

Mr. President:

We, your Special Committee, appointed to investigate the affairs of the office of the City Clerk of the city of Indianapolis, beg leave to report that we have made a preliminary examination of the books and the system of keeping accounts in said office, and we are of the unanimous opinion that to make a complete, thorough and accurate investigation of said books and accounts the services of an expert accountant will be indispensable. No member of our committee is an expert accountant, and we do not feel that it would be fair, either to the public, the committee or the City Clerk, to expect or require from nonexperts the class of work which we feel assured must be entailed.

We have therefore requested the City Comptroller to recommend such appropriation as he may deem adequate for the employment of an expert accountant to examine said books and accounts; and we respectfully recommend that if such appropriation come before this body it be passed.

Respectfully submitted,
H. E. NEGLEY,
JNO. H. CRALL,
ANDREW H. WAHL.

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Wheeler arrived and took his seat.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

App. O. No. 12, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be, and is hereby appropriated the sum of five thousand (\$5,000) dollars for the use of the Department of Public Health and Charities to be credited to the fund known and designated as the "Prevention of Contagious Disease Fund."

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 13, 1903: An ordinance appropriating the sum of one hundred thousand dollars for the use of the Department of Public Parks of the city of Indianapolis, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That there be and is hereby appropriated for the use of

the Department of Public Parks of the city of Indianapolis out of any moneys in the city treasury not otherwise appropriated the sum of one hundred thousand dollars to be used and expended in the following manner and no other: Thirty thousand dollars of said sum to be used and expended by said Board in boulevard improvements in the city of Indianapolis south of Washington street, and seventy thousand dollars of said sum to be used and expended by said Board in boulevard improvements north of Washington street.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

App. O. No. 14, 1903: An ordinance appropriating the sum of five hundred dollars for the employment of an expert accountant to examine the books and accounts of the office of the City Clerk of the city of Indianapolis, under the employment and direction of the special committee appointed for that purpose by the President of the Common Council, May 4, 1903, and fixing a time when said ordinance shall take effect.

Whereas, By the terms of Resolution No. 7, 1903, a special committee of three was appointed to examine into the charges made by the Executive Committee of the Citizens' League of Indianapolis, concerning the conduct of the affairs of the office of the City Clerk, in its letter dated May 1, 1903; and

Whereas, Said committee has reported that a thorough and satisfactory examination of said office can only be secured by the employment of an expert accountant, who would devote his entire time to the investigation for a considerable period; and

Whereas, The City Comptroller has recommended an appropriation of the sum of five hundred dollars for said purpose; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the sum of five hundred dollars be and the same is hereby appropriated, or so much thereof as may be necessary, to be used and expended by said Special Committee in the employment of an expert accountant to make a thorough examination of the books of the office of the City Clerk of the city of Indianapolis, and for no other purpose.

Sec. 2. This ordinance shall be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. McFarland:

G. O. No. 29, 1903: An ordinance making it unlawful for any person in the city of Indianapolis, Indiana, to give false alarms of fire, false

calls for police protection and interference, and false calls for the city ambulance; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall hereafter be unlawful for any person or persons, with the intent to mischievously or maliciously deceive, to give or cause to be given, within said city, any false alarm of fire, or any false call for police protection or interference, or any false call for the services of the city ambulance or the physicians on duty at the city dispensary, by means of any fire alarm telegraph box, telephone, public outcry, or by any other means of communication whatsoever.

Sec. 2. Any person or persons violating any of the provisions of Section 1 of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Daily Reporter, a newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Board of Public Works:

G. O. No. 30, 1903: An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or sidetrack across the alley between Fletcher avenue and Spann avenue, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 12th day of May, 1903, Buddenbaum & Heller filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

Indianapolis, Ind., May 12, 1903.

To the Board of Public Works of Indianapolis:

Gentlemen—The undersigned, Buddenbaum & Heller, owners of certain real estate abutting Fletcher avenue and Spann avenue, respectfully petition your honorable Board, asking permission to construct and maintain one sidetrack across the alley between Fletcher avenue and Spann avenue for the purpose of entering the grounds of the said Buddenbaum & Heller, as follows: The center line of said proposed switch begins in the south line of the alley between Fletcher avenue and Spann avenue ten (10) feet east of the northwest corner of lot 9; thence crossing said alley on a 17 degree curve to a point in the north line of said alley 110 feet east of the southwest corner of lot 5, all in Rockwood's Addition as shown by the drawing hereto attached, filed herewith and for greater certainty marked "Exhibit A." Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

BUDDENBAUM & HELLER,

By E. E. HELLER.

Now, therefore, This agreement, made and entered into this 18th day of May, 1903, by and between Buddenbaum & Heller, of the city

of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth: That the party of the first part, being desirous of securing a right of way for a switch or sidetrack across the alley between Fletcher avenue and Spann avenue, in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the order of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch crosses the alley between Fletcher avenue and Spann avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct private travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, across the alley between Fletcher avenue and Spann avenue, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fault the said Board shall be the exclusive judge) it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance, or with its

permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1901, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the alley between Fletcher avenue and Spann avenue in the city of Indianapolis as follows: The center line of said proposed switch begins in the south line of the alley between Fletcher avenue and Spann avenue, ten (10) feet east of the northwest corner of lot 9; thence crossing said alley on a 17-degree curve to a point in the north line of said alley 110 feet east of the southwest corner of lot 5, all in Rockwood's Addition as shown by the drawing hereto attached, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, We have hereunto set our hands this 18th day of May, 1903.

BUDDENBAUM & HELLER,

By E. E. HELLER,

Party of the First Part.

CITY OF INDIANAPOLIS.

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works,

Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

Mr. Kelly arrived and took his seat.

MISCELLANEOUS BUSINESS.

Mr. Crall introduced the following resolution:

RESOLUTION No. 8, 1903.

Be it resolved by the Common Council of the city of Indianapolis, Indiana, That permission and authority are hereby given the Gentry Dog and Pony Show, to exhibit the said show at any place in this city, outside of the area bounded by North street, East street, South street and West street, at any time during the year 1903, upon payment to the City Comptroller of the usual license fee charged by the city for such shows and exhibitions.

And said Gentry Dog and Pony Show is hereby authorized to give its exhibitions without first producing the written consent of the resident voters within one square of the place where such show and exhibitions are given.

JOHN H. CRALL.

Which was read and adopted by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

Mr. Wheeler introduced the following petition:

INDIANAPOLIS, May —, 1903.

To the President and Members of the Common Council:

Gentlemen—The undersigned, owners of real estate abutting on and in the vicinity of what is now known as Marlowe avenue, from Dorman street to State street, respectfully petition your honorable body for the change of the name of said street to New York street.

Your petitioners respectfully represent and show:

(1) That New York street is generally described as the first street north of Ohio street, but between the squares named is now known as Marlowe avenue.

(2) That the distance south from the "jog" in New York street at Dorman street to what is now known as Marlowe avenue is no greater than the distance north to what is now known as New York street.

(3) That what is now known as Marlowe avenue forms almost a straight line with New York street east of State avenue.

(4) That the change would tend to lessen confusion and be for the public benefit.

Mrs. E. W. Landes, 1422 and 1424 Marlowe avenue.

Mr. F. O. Meier, 1429 Marlowe avenue.

Wm. H. Kersey, 1425 Marlowe avenue.

John F. Lavery, 1428 Marlowe avenue.

Henry C. Baase, 1421 Marlowe avenue.

Chas. F. Kottlowski, 1419 Marlowe avenue.

Daisy E. Loucks, 1418 Marlowe avenue.

Wm. Holtman, 1414 Marlowe avenue.

Mary L. Spencer, 1426 Marlowe avenue.

Which was read and, on motion of Mr. Negley, referred to Committee on Sewers, Streets and Alleys, with instructions to prepare and submit an ordinance in accordance with petition.

ORDINANCES ON SECOND READING.

On motion of Mr. Negley, App. O. No. 14, 1903, was recalled from Committee on Finance.

Mr. Negley moved that the constitutional rules be suspended, for the purpose of placing the following entitled Ordinance on its final passage:

App. O. No. 14, 1903: An ordinance appropriating the sum of five hundred dollars for the employment of an expert accountant to examine the books and accounts of the office of the City Clerk of the city

of Indianapolis, under the employment and direction of the special committee appointed for that purpose by the President of the Common Council, May 4, 1903, and fixing a time when said ordinance shall take effect.

Which motion was unanimously adopted.

On motion of Mr. Negley, App. O. No. 14, 1903, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 17, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 2, viz: Messrs. Berry and Kelly.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 5, 1903: An ordinance appropriating the sum of six hundred and twenty dollars to and for the use of the Department of Public Health and Charities, and fixing the time when the same shall take effect.

Mr. Wynne moved that App. O. No. 5, 1903, be amended as recommended by committee report.

Which motion prevailed.

On motion of Mr. Wynne, App. O. No. 5, 1903, was ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 10, 1903. An ordinance appropriating the sum of two hundred dollars to the Department of Finance, on account of Memorial Day, May 30, 1903, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 10, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

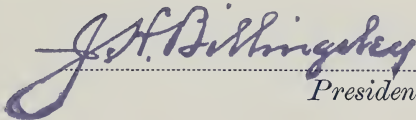
G. O. No. 25, 1903: An ordinance requiring the Lake Erie & Western Railroad and the Chicago, Indianapolis & Louisville Railway Company to erect, operate and maintain safety gates and a watchman's tower at the point in the city of Indianapolis, Indiana, where the tracks of said railroad companies cross Thirteenth street; defining the duties of said railroad companies in relation to such safety gates and watchman's tower; providing penalties for the violation thereof; providing for the publication thereof, and fixing a time when the same shall take effect.

On motion of Mr. Negley, G. O. No. 25, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

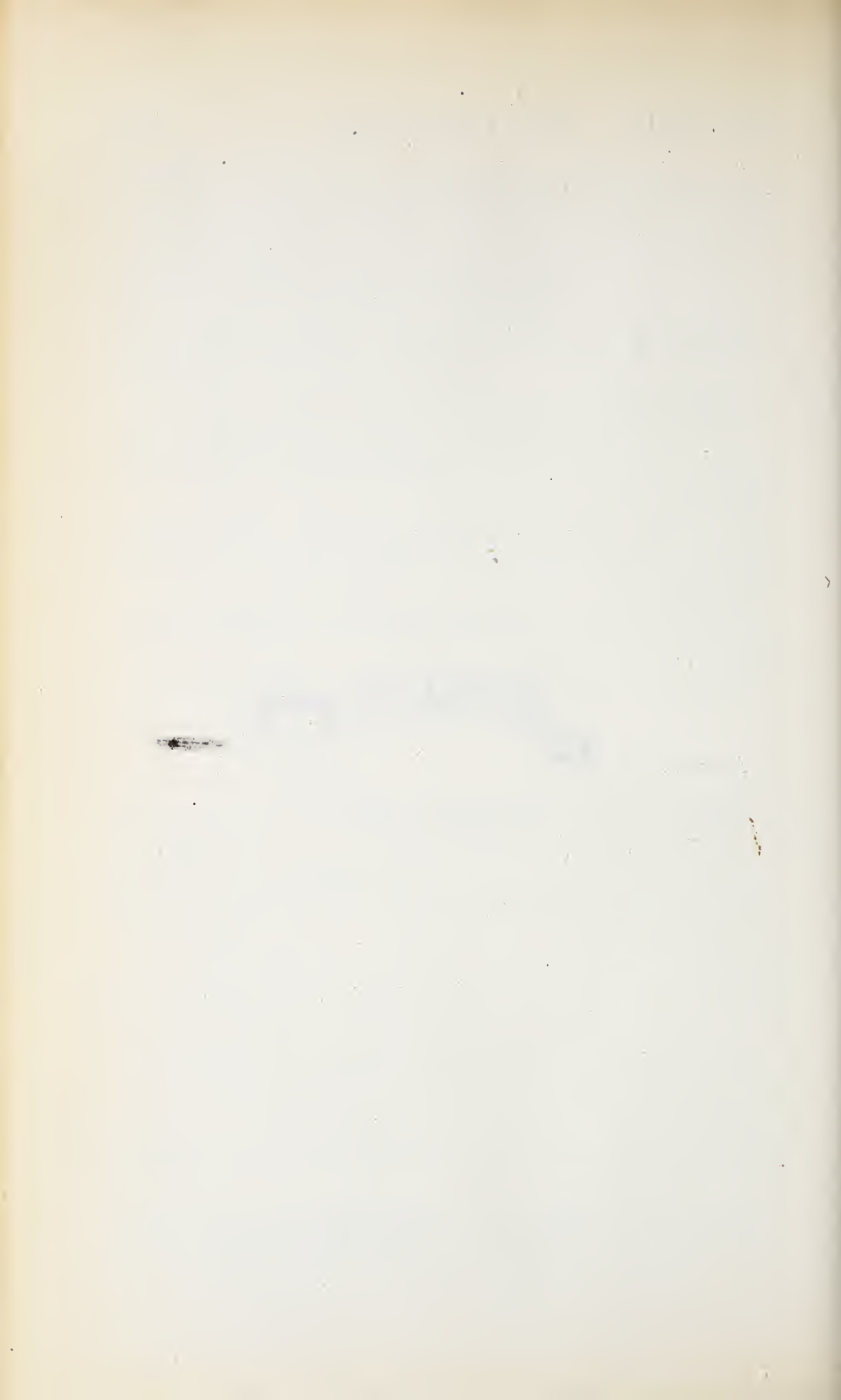
On motion of Mr. McFarland, the Common Council at 8:30 o'clock p. m. adjourned.

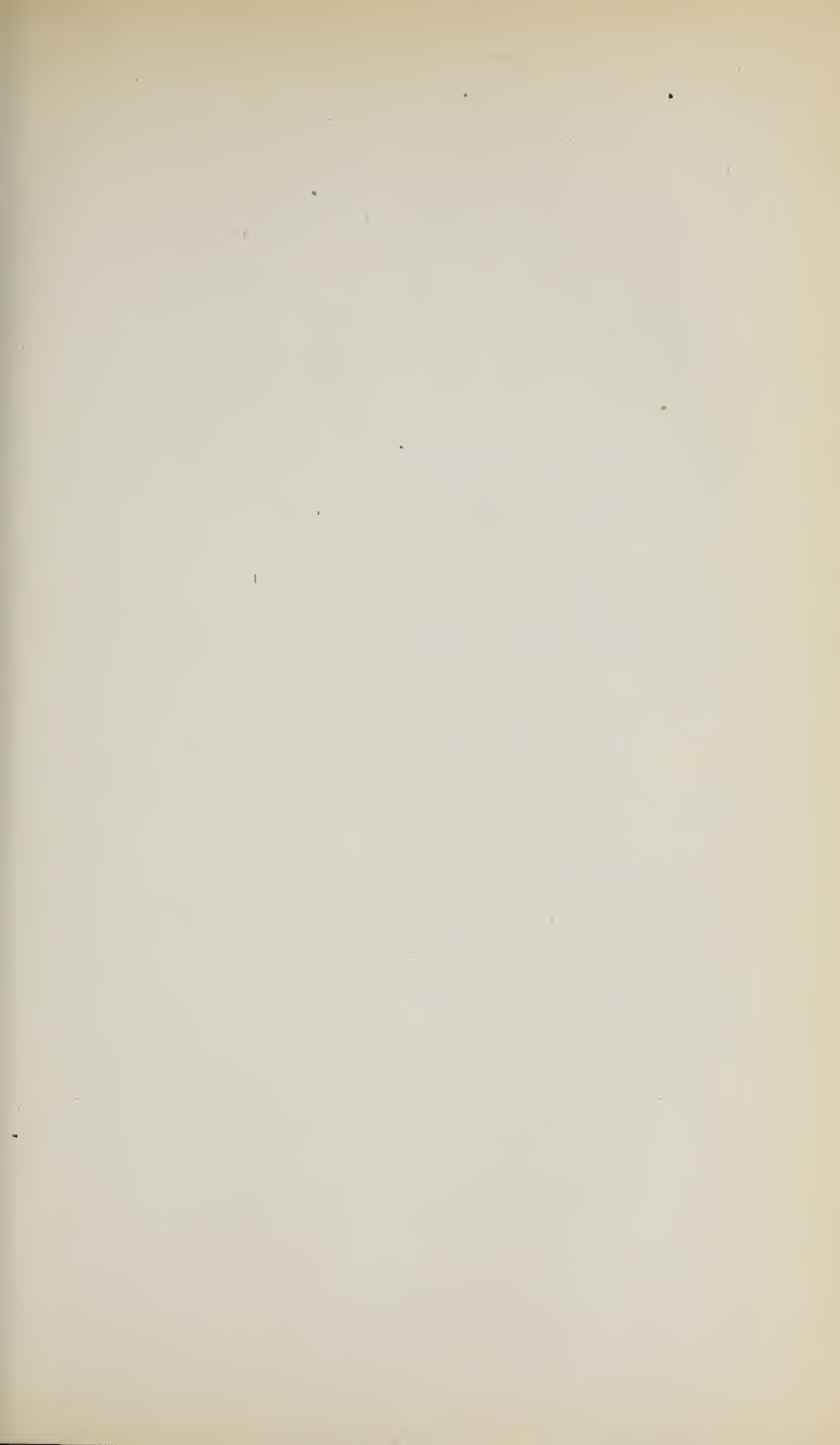

.....
President 

ATTEST:


.....

City Clerk.





REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, June 1, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 1, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 16 members, viz.: Messrs. Berry, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 4, viz.: Messrs. Cooper, Crall, Shea and Spray.

The Clerk proceeded to read the Journal, whereupon Councilman Eppert moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis.
INDIANAPOLIS, Ind., May 20, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

App. O. No. 5, 1903. An ordinance appropriating the sum of six hundred and twenty dollars to and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

App. O. No. 10, 1903. An ordinance appropriating the sum of two hundred dollars to the Department of Finance, on account of Memorial Day, May 30, 1903, and fixing a time when the same shall take effect.

App. O. No. 14, 1903. An ordinance appropriating the sum of five hundred dollars for the employment of an expert accountant to examine the books and accounts of the office of the City Clerk of the city of Indianapolis.

App. O. No. 25, 1903. An ordinance requiring the Lake Erie & Western R. R. and the Chicago, Indianapolis & Louisville Railway Co. to erect safety gates and watchman's tower where tracks cross thirteenth street.

Respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM STANDING COMMITTEES.

Mr. Eppert, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 28, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of May, 1903, between the city of Indianapolis, by and through its Board of Public Works, and the Consolidated Traction Company, whereby said company is authorized to run and operate its interurban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, Ind., June 1, 1903.

Mr. President:

Your Committee on Contracts and Franchises have had G. O. No. 28, 1903, under consideration and recommend that same do pass.

Respectfully

FRED. W. EPPERT,
W. H. WHEELER,
B. F. WYSONG,
ED. G. SOURBIER,
ANDREW H. WAHL.

Which was read and, on motion of Mr. Eppert, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 27, 1903: An ordinance approving a certain contract granting the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. the right to construct two sidetracks parallel with and distant northwardly thirteen (13) and twenty-five and seventy-five one hundredths (25.75) feet from the main track of the said railway, extending from a point about 440 feet west of the west line of the Brookville Road, eastwardly, crossing the Brookville Road at grade and the Sherman Drive over grade to Pleasant Run, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, Ind., June 1, 1903.

Mr. President:

Your Committee on Railroads have had under consideration G. O. No. 27, 1903, and recommend that same do pass.

FRED. W. EPPERT,
W. H. WHEELER,
B. F. WYSONG,
ED. G. SOURBIER,
JNO. WOLSIFFER.

Which was read and, on motion of Mr. Eppert, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 30, 1903: An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or sidetrack across the alley between Fletcher avenue and Spann avenue, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, Ind., June 1, 1903.

Mr. President:

Your Committee on Railroads, to whom was referred G. O. No. 30, 1903, have had same under consideration and recommend that same do pass.

FRED. W. EPPERT,
W. H. WHEELER,
B. F. WYSONG,
ED. G. SOURBIER.

Which was read and, on motion of Mr. Eppert, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Sourbier:

Special O. No. 1, 1903: An ordinance annexing certain contiguous territory to the city of Indianapolis, Indiana, providing for the publication thereof, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that the boundary lines of said city of Indianapolis be, and the same are, hereby extended so as to include the following described contiguous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the city of Indianapolis, in Marion county and State of Indiana, to-wit:

Beginning in the center of Twenty-fifth street at a point where the center of Keystone avenue intersects with the center of said Twenty-fifth street and running thence north to the center of Thirtieth street; thence east with the center of Thirtieth street to a line running due north from and with the extension of Dearborn street; thence south on said line from and with the center of Dearborn street to the center of Twenty-fifth street; and thence west with the center of Twenty-fifth street to the place of beginning,

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the "Daily Reporter," a newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Ordinances.

By. Mr. Meyer:

G. O. No. 31, 1903: An ordinance to amend Section Fourteen (14) of an ordinance entitled "An ordinance to regulate the keeping of dogs in the city of Indianapolis," etc., approved June 18, 1878.

Be it ordained by the Common Council of the city of Indianapolis that Section Fourteen (14) of an ordinance of the city of Indianapolis, entitled "An ordinance to regulate the keeping of dogs in the city of Indianapolis; requiring the Licensing, Checking, and Registering of all dogs owned, kept or harbored within said city; and imposing fines and punishments for violations thereof," approved June 18, 1878, be and is hereby amended to read as follows:

"Section 14. It shall be unlawful for the owner, keeper or person harboring any animal of the dog kind, to allow or permit the same to run at large."

Which was read a first time and referred to Committee on Judiciary.

MISCELLANEOUS BUSINESS.

The following petition was introduced by Mr. Warweg:

INDIANAPOLIS, May 27, 1903.

To the Common Council of the city of Indianapolis:

Gentlemen—The undersigned, owners of real estate abutting on East New York street, from Dorman street to Arsenal avenue, respectfully remonstrate against any further action of the Board of Public Works in the matter of providing for the changing the name of East New York to Marlow street, or the changing of Marlow to East New York street.

E. W. Bloemker.
E. F. Bloemker.
H. E. Schortemeier.
S. T. Hensel.
Fredrick N. Schmidt, 1209 E. New York St.
Mrs. A. Becker, 1239 E. New York St.
Geo. Steigmann.
Geo. F. Kohnle, 1219 E. New York St.
L. A. Lebhings, 1412 E. New York St.
Emma S. Downs.
Louis E. F. Miller, 1205 E. New York St.
R. A. Breman, 1208 E. New York St.
Geo. Wernsing, 1214 E. New York St.
Edward Resener, 1212 E. New York St.
John Wilding, 1410 E. New York St.
Fred. W. Pintzke, 1406 E. New York St.
J. D. Young, 1210 E. New York St.
George A. Shea, 1409 E. New York St.
R. Bougart, 1411 E. New York St.
John Mahedt, 1416 E. New York.
M. T. Scudder.

Which was read and referred to Committee on Sewers, Streets and Alleys.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 28, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 4th day of May, 1903, between the city of Indianapolis, by and through its Board of Public Works, and the Consolidated Traction Company, whereby said company is authorized to run and operate its inter-urban cars into said city along certain streets, and to carry passengers, mail, express matter, baggage and freight on such cars, in and upon the streets of the city of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Eppert, G. O. No. 28, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 14, viz.: Messrs. Berry, Eppert, Holliday, Kelly, McFarland, Negley, Rhodes, Sourbier, Wahl, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 3, viz.: Messrs. Meyer, Moriarity and Warweg.

Mr. Sourbier moved to adjourn.

Which motion was lost by the following vote:

Ayes, 4, viz.: Messrs. Kelly, Moriarity, Sourbier and Wolsiffer.

Noes, 13, viz.: Messrs. Berry, Eppert, Holliday, Meyer, McFarland, Negley, Rhodes, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 27, 1903: An ordinance approving a certain contract granting the Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. the right to construct two sidetracks parallel with and distant northwardly thirteen (13) and twenty-five and seventy-five one hundredths (25.75) feet from the main track of the said railway, extending from a point about 440 feet west of the west line of the Brookville Road, eastwardly, crossing the Brookville Road at grade and the Sherman Drive over grade to Pleasant Run, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 27, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 14, viz.: Messrs. Berry, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 3, viz.: Messrs. Kelly, Meyer and Moriarity.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

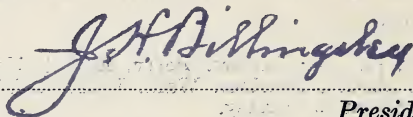
G. O. No. 30, 1903: An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or side-track across the alley between Fletcher avenue and Spann avenue, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 30, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 15, viz.: Messrs. Berry, Eppert, Holliday, Meyer, McFarland, Negley, Rhodes, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

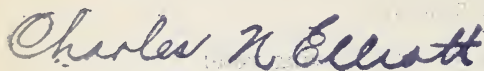
Noes, 2, viz.: Messrs. Kelly and Moriarity.

On motion of Mr. Sourbier, the Common Council at 8:35 o'clock p.m. adjourned.

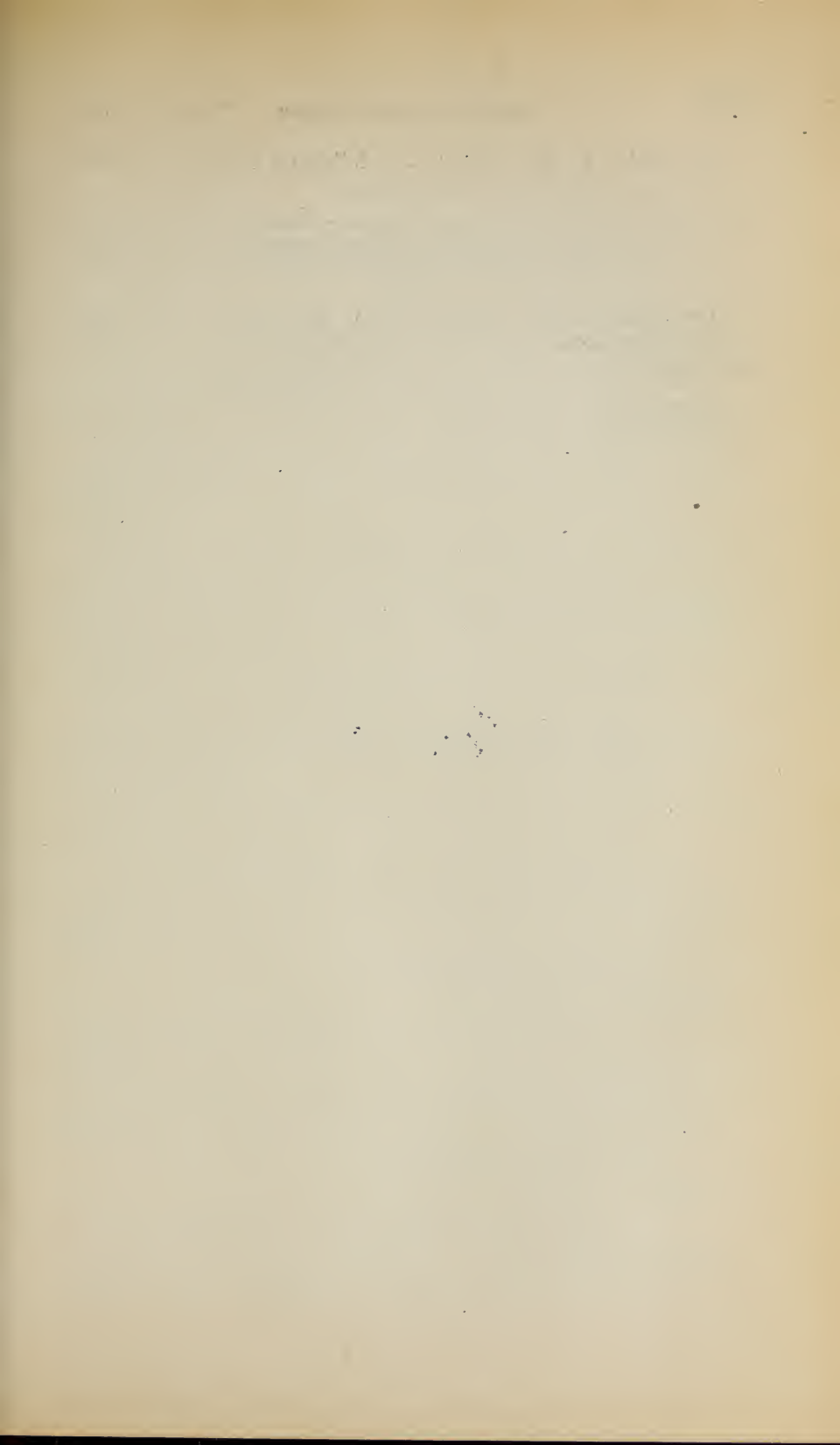


President.

ATTEST:



City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, June 15, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 15, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 17 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. Kelly, Wahl and Warweg.

The Clerk proceeded to read the Journal, whereupon Councilman Moriarity moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis.

INDIANAPOLIS, May 13, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 9, 1903. An ordinance to divide the city of Indianapolis into fifteen wards and to readjust the ward to Common Council boundary of such ward.

Respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, June 4, 1903.

To the President and Members of the Common Council:

Gentlemen:—I have this day signed and approved the following ordinances:

G. O. No. 28, 1903. An ordinance approving a certain contract made between the city of Indianapolis and Consolidated Traction Company, authorizing said Company to run and operate its interurban cars in said city along certain streets, and to carry passengers, etc., in and upon the streets of said city.

G. O. No. 27, 1903. An ordinance approving a certain contract granting the Pittsburgh, Cincinnati, Chicago and St. Louis Ry. Co. the right to construct two sidetracks parallel with and distant northwardly 13 and 25.75 feet from the main track of said railway, extending from a point about 440 feet west of the west line of the Brookville road eastwardly, crossing the Brookville road at grade and the Sherman drive over grade to Pleasant Run, in the city of Indianapolis.

G. O. No. 30, 1903. An ordinance approving a certain contract granting Buddenbaum & Heller the right to lay and maintain a switch or sidetrack across Fletcher avenue and Spann avenue, in the city of Indianapolis.

Very truly yours,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.

INDIANAPOLIS, June 12, 1903.

To the President and Members of the Common Council:

Gentlemen:—We transmit herewith G. O. No. 32, ratifying and confirming a certain contract this day entered into by the city of Indianapolis through its Board of Public Works and William F. Gansberg, granting said William F. Gansberg the right to construct, lay and maintain a switch or sidetrack across Ringgold avenue, in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.

INDIANAPOLIS, June 15, 1903.

To the President and Members of the Common Council:

Gentlemen:—We transmit herewith a General Ordinance ratifying and confirming a certain contract this day made and entered into by the city

of Indianapolis, through its Board of Public Works and Schnull & Company, granting said company the right to construct and maintain a switch or sidetrack across Chesapeake street and in and along Missouri street, in the city of Indianapolis.

Respectfully,

EDWIN D. LOGSDON,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 12, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, June 15, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred App. O. No. 12, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
FRED. W. EPPERT,
B. F. WYSONG,
LEW W. COOPER,
J. E. BERRY,
JAMES D. MORIARITY,
JNO. H. CRALL.

Which was read and, on motion of Mr. Wynne, concurred in.

On motion of Mr. Sourbier, G. O. No. 24, 1903, was taken out of hands of Committee on Public Safety and Comfort and referred to Committee on Public Health.

Mr. Wahl arrived and took his seat.

On motion of Mr. Crall, Committee on Railroads was ordered to submit a report on G. O. No. 21, 1903, at next regular meeting of Council.

Mr. Warweg arrived and took his seat.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 32, 1903. An ordinance approving a certain contract granting William F. Gansberg right to lay and maintain a switch or sidetrack across Ringgold avenue, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 12th day of June, 1903, William F. Gansberg filed his petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, Ind., June 9, 1903.

To the Board of Public Works of Indianapolis:

Gentlemen:—The undersigned, William F. Gansberg, owner of certain real estate abutting on Ringgold avenue, respectfully petition your Honorable Board, asking permission to construct and maintain one switch or sidetrack across Ringgold avenue for the purpose of entering the grounds of said William F. Gansberg, as follows: The center line of said proposed switch begins in the west line of Ringgold avenue, the said point being one hundred twenty-two (122) feet south of the south line of Beecher street; thence in a curve line to a point in the east line of Ringgold avenue, the said point being one hundred twelve and one-half ($112\frac{1}{2}$) feet south of the south line of Beecher street, as shown by the drawing hereto attached, filed herewith and for greater certainty marked "Exhibit A." Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

By WM. F. GANSBERG.

Now therefore, This agreement made and entered into this 12th day of June, 1903, by and between William F. Gansberg, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth: That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Ringgold avenue, in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times be subject to the order of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered in writing by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch crosses Ringgold avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to

obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch from property line to property line, across Ringgold avenue, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fault the said Board shall be the exclusive judge) it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by anyone for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an Act, entitled "An Act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census, last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1901, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby grants, gives and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Ringgold avenue in the city of Indianapolis, as follows: The center line of said proposed switch begins in the west line of Ringgold avenue, the said point being one hundred twenty-two (122) feet south of the south line of Beecher street; thence in a curve line to a point in the east line of Ringgold avenue, the said point being one hundred twelve and one-half (112½) feet south of the south line of Beecher street as shown by the drawings hereto attached, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, We have hereunto set our hands, this 12th day of June, 1903.

WM. F. GANSBURG.

CITY OF INDIANAPOLIS:

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works.
Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action, now, therefore,

SECTION 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that said contract above set forth be and the same is hereby in all things confirmed and approved.

SEC. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 33, 1903. An ordinance approving a certain contract granting Schnull & Co. the right to lay and maintain a switch or sidetrack across Chesapeake street and in and along Missouri street, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 4th day of May, 1903, Schnull & Co. filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, Ind., May 4, 1903.

To the Board of Public Works of the city of Indianapolis:

Gentlemen:—The undersigned, Schnull & Co., owners of certain real estate abutting on Chesapeake and Missouri streets, respectfully petition your honorable Board, asking permission to construct and maintain one switch or sidetrack across Chesapeake street and along the east side of Missouri street.

The center line of railroad switch beginning at a point in the center of the C., C., C. & St. L. Railroad Company's main track, the said point being fifty-six (56) feet south of the south line of Chesapeake street; thence in a curve line in a northeasterly direction to a point thirty-eight (38) feet north of the north line of Chesapeake street and twelve (12) to fourteen (14) feet east of the center line of the C., C., C. & St. L. Railroad Company's main track; thence north parallel with and twelve (12) to fourteen (14) feet distance from the center line of the C., C., C. & St. L. Railroad company's main track to the south line of Maryland street, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

SCHNULL & CO.

By WM. J. GRIFFIN.

Now, Therefore, This agreement made and entered into this 15th day of June, 1903, by and between Schnull & Co., of the city of Indianapolis, county of Marion, state of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Chesapeake street and along the east side of Missouri street, in the city of Indianapolis, which

is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby convenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch or the railroad track with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch crosses Chesapeake street shall at all times be kept improved and in repair and free from obstruction or defects of any kind. No car or cars shall be permitted to obstruct such crossing or be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and change the grade of said sidetrack or switch to conform to the grade which may be established for the main track, and upon its failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever, that may arise by reason of such change of grade of said sidetrack or switch, or in causing the same to be done, said Board shall in no wise be deemed a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, from property line to property line across Chesapeake street and in and along Missouri street, to the entire satisfaction of the party of the second part, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification in writing, of ten (10) days, said Board shall do, or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims of damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by anyone for it or at its instance, or with its permission shall operate as an immediate and absolute forfeiture of the privileges or authority given or granted by this contract, provided, however, that the same will be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an Act of the General Assembly of the State of Indiana, entitled, "An Act concerning the incorporation and government of cities having more than

one hundred thousand population, according to the United States census, last preceding, and matters connected therewith, and declaring an emergency," approved March, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests in said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Chesapeake street and in and along the east side of Missouri street, in the city of Indianapolis, as follows: The center line of said proposed switch beginning at a point in the center of the C., C., C. & St. L. Railway Company's main track, the said point being fifty-six (56) feet south of the south line of Chesapeake street; thence with a curve line in a northeasterly direction to a point thirty-eight (38) feet north of the north line of Chesapeake street and twelve (12) to fourteen (14) feet east of the center line of the C., C., C. & St. L. Railway Company's main track; thence north parallel with and twelve (12) to fourteen (14) feet distance from the center line of the C., C., C. & St. L. Railway Company's main track to the south line of Maryland street, all as shown by drawings attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, we have hereunto set our hands this 15th day of June, 1903.

SCHNULL & CO.

By WM. J. GRIFFIN.

CITY OF INDIANAPOLIS:

EDWIN D. LOGSDON,

C. MAGUIRE.

Board of Public Works.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, for its consideration and action, now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

SEC. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Eppert:

G. O. No. 34, 1903. An ordinance regulating the establishment, location, erection and maintenance of buildings and rooms for the storage, care, repair and hire of automobiles and other vehicles, fixing a penalty for the violation thereof, providing for the publication thereof and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the city of Indianapolis, that it shall hereafter be unlawful for any person, partnership or corporation to establish, locate, erect or maintain any room or building for the repair, care, storage or hire of automobiles or other vehicles within the city of Indianapolis, upon any block or square upon which there is located three or more separate dwelling houses used for residence purposes, without first obtaining the consent in writing of a majority in number of the property owners owning the property within said block, and procuring the permit hereinafter provided for.

SEC. 2. It shall hereafter be unlawful for any person, partnership or corporation to establish, locate, erect or maintain any room or building

for repair, care, storage or hire of automobiles or other vehicles within the city of Indianapolis upon any block or square upon which there exists any church or public school building.

SEC. 3. It shall hereafter be unlawful for any person, partnership or corporation to establish, locate, erect or maintain any room or building for the repair, care, storage or hire of automobiles or other vehicles within the city of Indianapolis, upon any block or square within fifty feet of any dwelling house used for residence purposes, without first obtaining the written consent of the owner of such dwelling house and procuring the permit hereinafter provided for.

SEC. 4. Any person, firm or corporation hereafter desiring to establish, locate, erect or maintain a room or building for the repair, care, storage or hire of automobiles or other vehicles upon any block or square within the city of Indianapolis, shall file with the Board of Public Works his petition for a permit, which petition shall properly describe the parcel of ground upon which it is proposed to establish, locate, erect or maintain such room or building, and the said petition shall be signed by a majority in number of the property owners owning the property within said block or square, and if there be a dwelling house within fifty feet of the proposed site of said location from said room or building, then said petition shall also be signed by the owner of such dwelling house so located within fifty feet of such site.

Thereupon, said Board of Public Works shall cause forthwith written notices to be given by a letter addressed and mailed to each of the property holders owning property as aforesaid, in said block or square, stating in such notice, that at a time and place therein named, the said Board will consider the petition for a permit to establish, locate, erect and maintain a room or building for the purposes above named; and if the Board of Public Works, after hearing, be satisfied that the petition is properly signed by a majority of the property owners within said block or square and by the owner of the dwelling house, if any, within fifty feet of the proposed site of such room or building, and be further satisfied that there is no church or public school building on said block or square, then, and in that event, and only then and in that event, a permit shall be granted by said Board of Public Works to an applicant therefor to establish, locate, erect and maintain such room or building; and thereupon, and only thereupon, the City Comptroller shall be authorized to issue the permit to establish, locate, erect and maintain such room or building for such purposes.

SEC. 5. The provisions of this ordinance shall not apply to the district bounded on the north by New York street, on the east by Alabama street, on the south by Georgia street and on the west by Senate avenue.

SEC. 6. Any person, partnership or corporation who shall violate any of the provisions of this ordinance shall be fined in the sum of \$100.00 for a first offense; and the sum of \$25.00 for every additional offense; and every day said ordinance is violated shall constitute a separate offense.

SEC. 7. Any room or building established, located, erected or maintained for the purpose of the repair, care, storage or hire of automobiles or other vehicles in violation of this ordinance shall be deemed a nuisance, and may be abated as such; and it is hereby made the duty of the Building Inspector of the city of Indianapolis to abate the same as a nuisance by proper steps taken.

SEC. 8. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Daily Reporter, a newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Property and Improvements.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

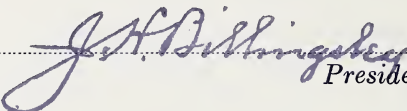
App. O. No. 12, 1903: An ordinance appropriating the sum of five thousand dollars for the Department of Public Health and Charities, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 12, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

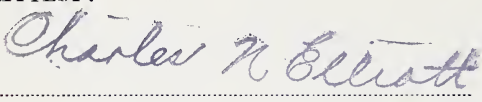
Ayes, 17, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Moriarity, McFarland, Negley, Rhodes, Sourbier, Spray, Wahl, Wheeler, Wolsiffer, Wynne, Wyson, and President Billingsley.

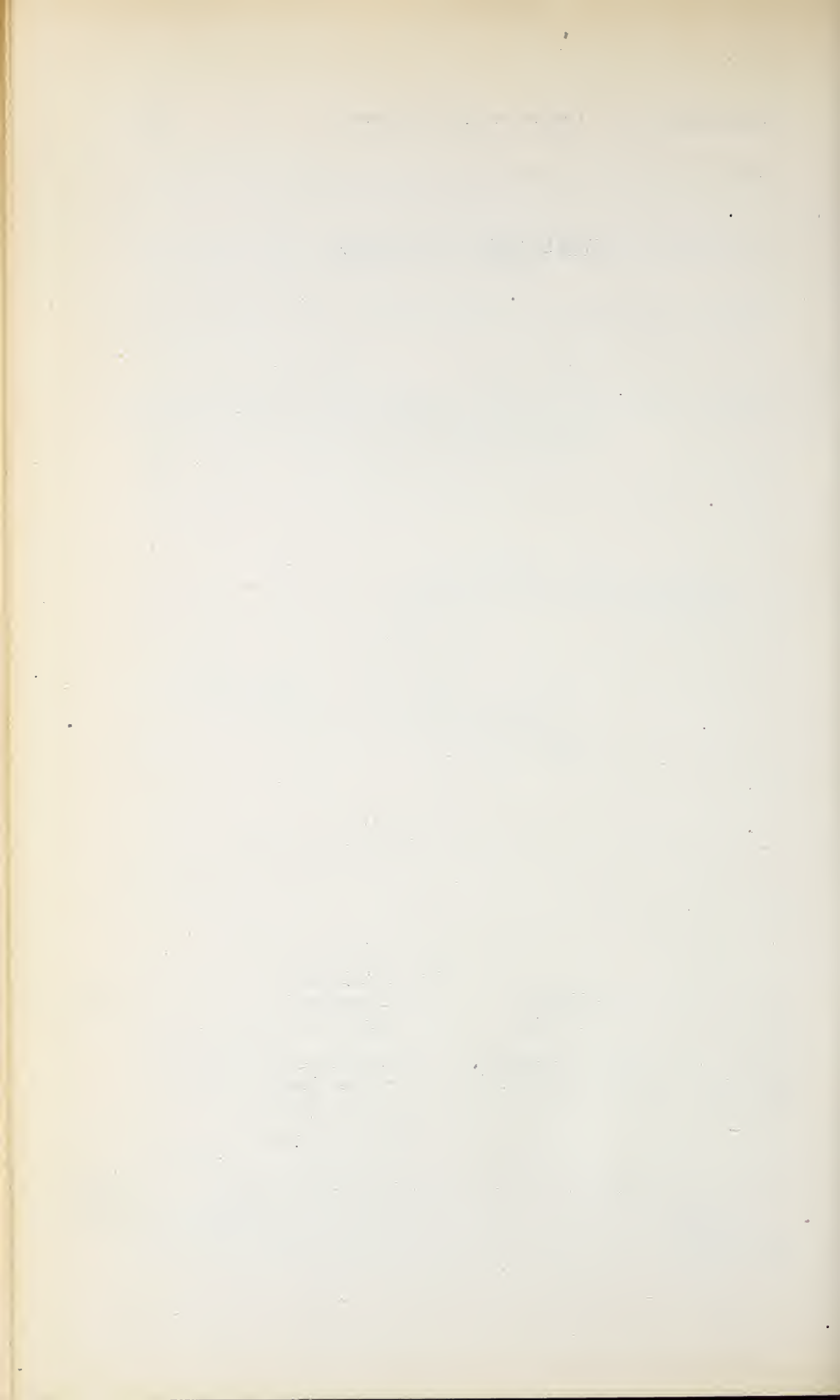
Noes, 3, viz.: Messrs. Meyer, Shea and Warweg.

On motion of Mr. Moriarity, the Common Council at 8:30 o'clock p. m. adjourned.


.....
President.

ATTEST:


.....
City Clerk.



SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, June 29, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, June 29, 1903, at 7:30 o'clock in special session, pursuant to the following call.

EXECUTIVE DEPARTMENT.

City of Indianapolis.

INDIANAPOLIS, June 29, 1903.

To the President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 12 of the city charter of the said city, a special meeting of the Common Council of the said city is hereby called to meet at the hour of 7:30 p. m. on June 29, 1903, in the Council Chamber of said city for the purpose of taking action on and passing Special Ordinance No. 1, 1903, An ordinance annexing certain contiguous territory in the city of Indianapolis, Indiana; providing for the publication thereof and fixing a time when the same shall take effect; also

For the purpose of introducing and considering General Ordinance No. 35, 1903, An ordinance fixing the boundaries of the voting precincts of the city of Indianapolis and fixing a time when the same shall take effect.

Very truly yours,

C. A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, James H. Billingsley, President of the Common Council in the chair, and 14 members, viz.: Messrs. Berry, Crall, Eppert, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler and Wynne.

Absent, 6, viz.: Messrs. Cooper, Holliday, McFarland, Spray, Wolsiffer and Wysong.

President Billingsley announced that the first business before the Council would be Report from Committee on Ordinances, on Special Ordinance No. 1, 1903. Mr. Spray, Chairman of Committee on Ordinances, being absent, Mr. Negley moved

that Mr. Wheeler prepare and submit Report on Special Ordinance No. 1, 1903, at the next meeting of the Common Council.

Which motion prevailed.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Sourbier:

G. O. No. 35, 1903: An ordinance fixing the boundaries of the voting precincts of the city of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Whereas, By reason of the increasing population, and corresponding increase in the number of voters, in the city of Indianapolis, Indiana, it is made necessary and is deemed necessary to change and readjust the boundaries of the voting precincts in said city; therefore

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the said city of Indianapolis be and the same is hereby divided into two hundred and thirty-seven (237) voting precincts, numbered as hereinafter described, and designated by the following boundaries, to wit:

FIRST WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, First Ward: Beginning at the intersection of Station street and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of School street; thence in a southerly direction in the center line of School street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Olney street; thence in a northerly direction in the center line of Olney street to the center line of Glen drive; thence in an easterly direction in the center line of Glen drive to the center line of Gale street; thence in a northerly direction in the center line of Gale street to the center line of Twenty-fifth street; thence in an easterly direction in the center line of Twenty-fifth street to the center line of Station street; thence in a northerly direction in the center line of Station street to the center line of Thirtieth street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, First Ward: Beginning at the intersection of Dearborn street and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Station street; thence in a southerly direction in the center line of Station street to the center line of Twenty-fifth street; thence in a westerly direction in the center line of Twenty-fifth street to the center line of Gale street; thence in a southerly direction in the center line of Gale street to the center line of Glen drive; thence in a westerly direction in the center line of Glen drive to the center line of Olney street; thence in a southerly direction in the center line of Olney street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of

Dearborn street; thence in a northerly direction in the center line of Dearborn street to the center line of Thirtieth street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, First Ward: Beginning at the intersection of Keystone avenue and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Dearborn street; thence in a southerly direction in the center line of Dearborn street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Hazel street; thence in a northerly direction in the center line of Hazel street to the center line of Langley avenue; thence in a westerly direction in the center line of Langley avenue to the center line of Catherine street; thence in a northerly direction in the center line of Catherine street to the center line of Bloyd avenue; thence in an easterly direction in the center line of Bloyd avenue to the center line of Keystone avenue; thence in a northerly direction in the center line of Keystone avenue to the center line of Thirtieth street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, First Ward: Beginning at the intersection of Ralston avenue and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Keystone avenue; thence in a southerly direction in the center line of Keystone avenue to the center line of Bloyd avenue; thence in a westerly direction in the center line of Bloyd avenue to the center line of Catherine street; thence in a southerly direction in the center line of Catherine street to the center line of Langley avenue; thence in a southwesterly, westerly and northwesterly direction in the center line of Langley avenue to the center line of Hillside avenue; thence in a northwesterly direction in the center line of Hillside avenue to the center line of the Indianapolis Union Railway Company's right of way; thence in a westerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Ralston avenue; thence in a northerly direction in the center line of Ralston avenue to the center line of Thirtieth street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, First Ward: Beginning at the intersection of Columbia avenue and the Indianapolis Union Railway Company's right of way; thence in an easterly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Hillside avenue; thence in a southwesterly direction in the center line of Hillside avenue to the center line of Seventeenth street; thence in a westerly direction in the center line of Seventeenth street to the center line of Sheldon street; thence in a northerly direction in the center line of Sheldon street to the center line of Nineteenth street; thence in a westerly direction in the center line of Nineteenth street to the center line of Columbia avenue; thence in a northerly direction in the center line of Columbia avenue to the center line of the Indianapolis Union Railway Company's right of way, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, First Ward: Beginning at the intersection of the Lake Erie & Western Railroad Company's right of way and Twenty-first street; thence in an easterly direction in the center line of Twenty-first street to the center line of the Indianapolis Union Railway Company's right of way; thence continuing in an easterly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Columbia avenue; thence in a

southerly direction in the center line of Columbia avenue to the center line of Nineteenth street; thence in a westerly direction in the center line of Nineteenth street to the center line of the Lake Erie & Western Railroad Company's right of way; thence in a northerly direction in the center line of the Lake Erie & Western Railroad Company's right of way to the center line of Twenty-first street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, First Ward: Beginning at the intersection of the Lake Erie & Western Railway Company's right of way and Nineteenth street; thence in an easterly direction in the center line of Nineteenth street to the center line of Sheldon street; thence in a southerly direction in the center line of Sheldon street to the center line of Seventeenth street; thence in a westerly direction in the center line of Seventeenth street to the center line of Columbia avenue; thence in a southerly direction in the center line of Columbia avenue to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a northerly direction in the center line of the Lake Erie & Western Railroad Company's right of way to the center line of Nineteenth street, the place of beginning.

Eighth Precinct.—Beginning at the intersection of the Lake Erie & Western Railroad Company's right of way and Sixteenth street; thence in an easterly direction in the center line of Sixteenth street to the center line of Columbia avenue; thence in a northerly direction in the center line of Columbia avenue to the center line of Seventeenth street; thence in an easterly direction in the center line of Seventeenth street to the center line of Arsenal avenue; thence in a southerly direction in the center line of Arsenal avenue to the center line of Fifteenth street; thence in a westerly direction in the center line of Fifteenth street to the center line of the Lake Erie & Western Railroad Company's right of way; thence in a northerly direction in the center line of the Lake Erie & Western Railroad Company's right of way to the center line of Sixteenth street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, First Ward: Beginning at the intersection of Arsenal avenue and Seventeenth street; thence in an easterly direction in the center line of Seventeenth street to the center line of Hillside avenue; thence in a southerly direction in the center line of Hillside avenue to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Columbia avenue; thence in a northwesterly and northerly direction in the center line of Columbia avenue to the center line of Roosevelt avenue; thence in a northeasterly direction in the center line of Roosevelt avenue to the center line of Arsenal avenue; thence in a northerly direction in the center line of Arsenal avenue to the center line of Seventeenth street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, First Ward: Beginning at the intersection of Hillside avenue and Graham street; thence in a southeasterly direction in the center line of Graham street to the center line of Beech street; thence in a northerly direction in the center line of Beech street to the center line of Langley avenue; thence in a southeasterly, easterly and northeasterly direction in the center line of Langley avenue to the center line of Hazel street; thence in a southerly direction in the center line of Hazel street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Hillside avenue; thence in a northerly direction in the center line of Hillside avenue to a point where

the same intersects with Roosevelt avenue; thence continuing in a northerly direction in Roosevelt avenue to a point where the same intersects with Hillside avenue; thence continuing in a northerly direction in the center line of Hillside avenue to the center line of Graham street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, First Ward: Beginning at the intersection of Commerce avenue and Massachusetts avenue; thence in a northeasterly direction in the center line of Massachusetts avenue to the center line of Rural street; thence in a southerly direction in the center line of Rural street to the center line of Nowland avenue; thence in a westerly, northwesterly and southwesterly direction in the center line of Nowland avenue to a point where the same intersects with Commerce avenue; thence continuing in a northwest and western direction in the center line of Commerce avenue to the center line of Massachusetts avenue, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, First Ward: Beginning at the intersection of Massachusetts avenue and the Indianapolis Union Railway Company's right of way; thence in a southwesterly direction in the center line of the Indianapolis Union Railway Company's right of way to the north boundary line of Brookside park; thence in a westerly direction along the said north boundary line of Brookside park to the west boundary line of Brookside park; thence south along said west boundary line of Brookside park to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of Rural street; thence in a northerly direction in the center line of Rural street to the center line of Massachusetts avenue; thence in a northeasterly direction in the center line of Massachusetts avenue to the center line of the Indianapolis Union Railway Company's right of way, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, First Ward: Beginning at the intersection of the north boundary line of Brookside park and the center line of the Indianapolis Union Railway Company's right of way; thence in a southerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Rural street; thence in a northerly direction in the center line of Rural street to the center line of Sixteenth street; thence in an easterly direction in the center line of Sixteenth street to the west boundary line of Brookside park; thence in a northerly direction along the said west boundary line of Brookside park to the north boundary line of Brookside park; thence in an easterly direction along the said north boundary line of said Brookside park to the center line of the Indianapolis Union Railway Company's right of way, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, First Ward: Beginning at the intersection of Larch street and Nowland avenue; thence in a northeasterly, easterly and southeasterly direction along the center line of Nowland avenue to the center line of Rural street; thence in a southerly direction in the center line of Rural street to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Jefferson avenue; thence in a northerly direction in the center line of Jefferson avenue to the center line of Twelfth street; thence in a westerly direction in the center line of Twelfth street to the center line of Larch street; thence in a northerly direction in the center line of Larch street to the center line of Nowland avenue, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, First Ward: Beginning at the intersection of Massachusetts avenue and Commerce avenue; thence in a southeasterly, easterly and northeasterly direction in the center line of Commerce avenue to the center line of Larch street; thence in a southerly and southwesterly direction in the center line of Larch street to the center line of Twelfth street; thence in an easterly direction in the center line of Twelfth street to the center line of Jefferson avenue; thence in a southerly direction in the center line of Jefferson avenue to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Newman street; thence in a northerly, northwesterly direction in the center line of Newman street to the center line of Massachusetts avenue; thence in a northeasterly direction in the center line of Massachusetts avenue to the center line of Commerce avenue, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, First Ward: Beginning at the intersection of Massachusetts avenue and Newman street; thence in a southeasterly and southerly direction in the center line of Newman street to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Massachusetts avenue, thence in a northeasterly direction in the center line of Massachusetts avenue to the center line of Newman street, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, First Ward: Beginning at the intersection of Cornell avenue and Fifteenth street; thence in an easterly direction in the center line of Fifteenth street to the center line of Arsenal avenue; thence in a southerly direction in the center line of Arsenal avenue to the center line of Roosevelt avenue; thence in a southwesterly direction in the center line of Roosevelt avenue to the center line of Thirteenth street; thence in a westerly direction in the center line of Thirteenth street to the center line of Cornell avenue; thence in a northerly direction in the center line of Cornell avenue to the center line of Fifteenth street, the place of beginning.

Eighteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighteenth Precinct, First Ward: Beginning at the intersection of Cornell avenue and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Columbia avenue; thence in a southerly and south-easterly direction in the center line of Columbia avenue to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Cornell avenue; thence in a northerly direction in the center line of Cornell avenue to the center line of Thirtieth street, the place of beginning.

SECOND WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Second Ward: Beginning at the intersection of Bellefontaine street and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Ralston avenue; thence in a southerly direction in the center line of Ralston avenue to the center line of Twenty-fourth street; thence in a westerly direction in the center line of Twenty-fourth street to the center line of Bellefontaine street; thence in a northerly direction in the center line of Bellefontaine street to the center line of Thirtieth street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, second Ward: Beginning

at the intersection of Central avenue and Fall creek; thence in a northeasterly direction in the center line of Fall creek to the center line of Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Bellefontaine street; thence in a southerly direction in the center line of Bellefontaine street to the center line of Twenty-fourth street; thence in a westerly direction in the center line of Twenty-fourth street to the center line of Broadway; thence in a northerly direction in the center line of Broadway to the center line of Sutherland avenue; thence in a southwesterly and westerly direction in the center line of Sutherland avenue to the center line of Central avenue; thence in a northerly direction in the center line of Central avenue to the center line of Fall creek, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Second Ward: Beginning at the intersection of Alabama street and Fall creek; thence in an easterly direction in the center line of Fall creek to the center line of Central avenue; thence in a southerly direction in the center line of Central avenue to the center line of Sutherland avenue; thence in an easterly and northeasterly direction in the center line of Sutherland avenue to the center line of Broadway; thence in a southerly direction in the center line of Broadway to the center line of Twenty-third street; thence in a westerly direction in the center line of Twenty-third street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Fall creek, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Second Ward: Beginning at the intersection of Alabama street and Twenty-third street; thence in an easterly direction in the center line of Twenty-third street to the center line of Park avenue; thence in a southerly direction in the center line of Park avenue to the center line of Twenty-first street; thence in a westerly direction in the center line of Twenty-first street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Twenty-third street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Second Ward: Beginning at the intersection of Park avenue and Twenty-third street; thence in an easterly direction in the center line of Twenty-third street to the center line of College avenue; thence in a southerly direction in the center line of College avenue to the center line of Twentieth street; thence in a westerly direction in the center line of Twentieth street to the center line of Park avenue; thence in a northerly direction in the center line of Park avenue to the center line of Twenty-first street; thence in a westerly direction in the center line of Twenty-first street to the center line of Park avenue; thence in a northerly direction in the center line of Park avenue to the center line of Twenty-third street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Second Ward: Beginning at the intersection of Broadway and Twenty-fourth street; thence in an easterly direction in the center line of Twenty-fourth street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a southerly direction in the center line of the Lake Erie & Western Railway Company's right of way to the center line of Twenty-second street; thence in a westerly direction in the center line of Twenty-second street to the center line of College avenue; thence in a northerly direction in the center line of College avenue to the center line

of Twenty-third street; thence in a westerly direction in the center line of Twenty-third street to the center line of Broadway; thence in a northerly direction in the center line of Broadway to the center line of Twenty-fourth street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Second Ward: Beginning at the intersection of the Lake Erie & Western Railway Company's right of way and Twenty-fourth street; thence in an easterly direction in the center line of Twenty-fourth street to the center line of Ralston avenue; thence in a southerly direction in the center line of Ralston avenue to the center line of the Indianapolis Union Railway Company's right of way; thence in a westerly direction in the center line of the Indianapolis Union Railway Company's right of way to a point where the same intersects with Twenty-first street; thence continuing in a westerly direction in the center line of Twenty-first street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a northerly direction in the center line of the Lake Erie & Western Railway Company's right of way to the center line of Twenty-fourth street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Second Ward: Beginning at the intersection of College avenue and Twenty-second street; thence in an easterly direction in the center line of Twenty-second street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a southerly direction in the center line of the Lake Erie & Western Railway Company's right of way to the center line of Twentieth street; thence in a westerly direction in the center line of Twentieth street to the center line of College avenue; thence in a northerly direction in the center line of College avenue to the center line of Twenty-second street, the place of beginning.

Ninth Precinct.—All that part of said city bounded as follows shall be and constitute the Ninth Precinct, Second Ward: Beginning at the intersection of Ashland avenue and Twentieth street; thence in an easterly direction in the center line of Twentieth street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a southerly direction in the center line of the Lake Erie & Western Railway Company's right of way to the center line of Seventeenth street; thence in a westerly direction in the center line of Seventeenth street to the center line of Ashland avenue; thence in a northerly direction in the center line of Ashland avenue to the center line of Twentieth street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Second Ward: Beginning at the intersection of Central avenue and Twentieth street; thence in an easterly direction in the center line of Twentieth street to the center line of Ashland avenue; thence in a southerly direction in the center line of Ashland avenue to the center line of Nineteenth street; thence in a westerly direction in the center line of Nineteenth street to the center line of Central avenue; thence in a northerly direction in the center line of Central avenue to the center line of Twentieth street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Second Ward: Beginning at the intersection of Central avenue and Nineteenth street; thence in an easterly direction in the center line of Nineteenth street to the center line of Ashland avenue; thence in a southerly direction in the center line of Ashland avenue to the center line of Seventeenth street; thence in a westerly direction in the center line of Seventeenth street to the center line of Central avenue; thence in a northerly direction in

the center line of Central avenue to the center line of Nineteenth street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Second Ward: Beginning at the intersection of Central avenue and Seventeenth street; thence in an easterly direction in the center line of Seventeenth street to the center line of Ashland avenue; thence in a southerly direction in the center line of Ashland avenue to the center line of Sixteenth street; thence in a westerly direction in the center of Sixteenth street to the center line of Central avenue; thence in a northerly direction in the center line of Central avenue to the center line of Seventeenth street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Second Ward: Beginning at the intersection of Alabama street and Seventeenth street; thence in an easterly direction in the center line of Seventeenth street to the center line of Central avenue; thence in a southerly direction in the center line of Central avenue to the center line of Fifteenth street; thence in a westerly direction in the center line of Fifteenth street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Seventeenth street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Second Ward: Beginning at the intersection of Alabama street and Twentieth street; thence in an easterly direction in the center line of Twentieth street to the center line of Central avenue; thence in a southerly direction in the center line of Central avenue to the center line of Seventeenth street; thence in a westerly direction in the center line of Seventeenth street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Twentieth street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Second Ward: Beginning at the intersection of Alabama street and Twenty-first street; thence in an easterly direction in the center line of Twenty-first street to the center line of Park avenue; thence in a southerly direction in the center line of Park avenue to the center line of Twentieth street; thence in a westerly direction in the center line of Twentieth street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Twenty-first street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Second Ward: Beginning at the intersection of Central avenue and Sixteenth streets; thence in an easterly direction in the center line of Sixteenth street to the center line of Ashland avenue; thence in a southerly direction in the center line of Ashland avenue to the center line of Fifteenth street; thence in a westerly direction in the center line of Fifteenth street to the center line of Central avenue; thence in a northerly direction in the center line of Central avenue to the center line of Sixteenth street, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, second Ward: Beginning at the intersection of Ashland avenue and Seventeenth street; thence in an easterly direction in the center line of Seventeenth street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a southerly direction in the center line of the Lake Erie & Western Railway Company's right of way to the center

line of Fifteenth street; thence in a westerly direction in the center line of Fifteenth street to the center line of Ashland avenue; thence in a northerly direction in the center line of Ashland avenue to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of Ashland avenue; thence in a northerly direction in the center line of Ashland avenue to the center line of Seventeenth street, the place of beginning.

THIRD WARD.

First Precinct.—All that part of said city bounded as follows shall be and constitute the First Precinct, Third Ward: Beginning at the intersection of Talbott avenue and Fall creek; thence in a northeasterly direction in the center line of Fall creek to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of Twenty-first street; thence in a westerly direction in the center line of Twenty-first street to the center line of Talbott avenue; thence in a northerly direction in the center line of Talbott avenue to the center line of Fall creek, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Third Ward: Beginning at the intersection of Meridian street and Fall creek; thence in a northeasterly direction in the center line of Fall creek to the center line of Talbott avenue; thence in a southerly direction in the center line of Talbott avenue to the center line of Twenty-first street; thence in a westerly direction in the center line of Twenty-first street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of Fall creek, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Third Ward: Beginning at the intersection of Capitol avenue and Fall creek; thence in a northeasterly direction in the center line of Fall creek to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Twenty-second street; thence in a westerly direction in the center line of Twenty-second street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Fall creek, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Third Ward: Beginning at the intersection of Northwestern avenue and Fall creek; thence in a northeasterly direction in the center line of Fall creek to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Twenty-first street; thence in a westerly direction in the center line of Twenty-first street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of Eighteenth street; thence in a westerly direction in the center line of Eighteenth street to the center line of the Big Four Railway Company's right of way; thence in a northwesterly direction in the center line of the Big Four Railway Company's right of way to the center line of Northwestern avenue; thence in a northerly and northwesterly direction in the center line of Northwestern avenue to the center line of Fall creek, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Third Ward: Beginning at the intersection of Capitol avenue and Twenty-second street; thence in an easterly direction in the center line of Twenty-second street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Twentieth street; thence in a westerly direction in the center line of Twentieth street to the center line of Senate avenue; thence in a northerly direction in the

center line of Senate avenue to the center line of Twenty-first street; thence in an easterly direction in the center line of Twenty-first street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Twenty-second street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Third Ward: Beginning at the intersection of Senate avenue and Twentieth street; thence in an easterly direction in the center line of Twentieth street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Eighteenth street; thence in a westerly direction in the center line of Eighteenth street to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Twentieth street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Third Ward: Beginning at the intersection of Meridian street and Twenty-first street; thence in an easterly direction in the center line of Twenty-first street to the center line of Talbott avenue; thence in a southerly direction in the center line of Talbott avenue to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of Twenty-first street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Third Ward: Beginning at the intersection of Talbott avenue and Twenty-first street; thence in an easterly direction in the center line of Twenty-first street to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of Talbott avenue; thence in a northerly direction in the center line of Talbott avenue to the center line of Twenty-first street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Third Ward: Beginning at the intersection of Senate avenue and Eighteenth street; thence in an easterly direction in the center line of Eighteenth street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Eighteenth street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Third Ward: Beginning at the intersection of Northwestern avenue and the Big Four Railway Company's right of way; thence in a southeasterly direction in the center line of the Big Four Railway Company's right of way to the center line of Eighteenth street; thence in an easterly direction in the center line of Eighteenth street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of Northwestern avenue; thence in a northerly direction in the center line of Northwestern avenue to the center line of the Big Four Railway Company's right of way, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Third Ward: Beginning at the intersection of Northwestern avenue and Sixteenth street; thence in an easterly direction in the center line of Sixteenth street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Thirteenth street; thence in a westerly direction in the center line of Thirteenth street to the center line of West street; thence in a northerly direction in the center line of West street to the center line of Fifteenth street; thence in a north-easterly direction in the center line of Fifteenth street to the center line of Northwestern avenue; thence in a northwesterly direction in the center line of Northwestern avenue to the center line of Sixteenth street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Third Ward: Beginning at the intersection of Missouri street and Sixteenth street; thence in an easterly direction in the center line of Sixteenth street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Fourteenth street; thence in a westerly direction in the center line of Fourteenth street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Sixteenth street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Third Ward: Beginning at the intersection of Missouri street and Fourteenth street; thence in an easterly direction in the center line of Fourteenth street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Twelfth street; thence in a westerly direction in the center line of Twelfth street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Fourteenth street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Third Ward: Beginning at the intersection of West street and Thirteenth street; thence in an easterly direction in the center line of Thirteenth street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of West street; thence in a northerly direction in the center line of West street to the center line of Thirteenth street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Third Ward: Beginning at the intersection of Missouri street and Twelfth street; thence in an easterly direction in the center line of Twelfth street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Twelfth street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Third Ward: Beginning at the intersection of West street and Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Pratt street; thence in a westerly direction in the center line of Pratt street to the center line of West street; thence in a northwesterly direction in the center line of West street to the center line of Tenth street, the place of beginning.

FOURTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Fourth Ward: Beginning at the intersection of Illinois street and Thirty-eighth street; thence in an easterly direction in the center line of Thirty-eighth street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of Thirty-fourth street; thence in an easterly direction in the center line of Thirty-fourth street to the corporation limits on the east; thence in a southerly direction along said corporation limits to the center line of Fall creek; thence in a south-westerly direction in the center line of Fall creek to the center line of the first alley west of Talbott avenue; thence in a northerly direction in the center line of the first alley west of Talbott avenue to the center line of Thirtieth street; thence in a westerly direction in the center line of Thirtieth street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of Thirty-second street; thence in a westerly direction in the center line of Thirty-second street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of Thirty-eighth street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Fourth Ward: Beginning at the intersection of Senate avenue and Thirty-eighth street; thence in an easterly direction in the center line of Thirty-eighth street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Thirty-third street; thence in a westerly direction in the center line of Thirty-third street to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Thirty-eighth street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Fourth Ward: Beginning at the intersection of Senate avenue and Thirty-third street; thence in an easterly direction in the center line of Thirty-third street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Thirty-second street; thence in an easterly direction in the center line of Thirty-second street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Thirtieth street; thence in a westerly direction in the center line of Thirtieth street to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Thirty-third street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Fourth Ward: Beginning at the intersection of Nice street and Thirty-second street; thence in an easterly direction in the center line of Thirty-second street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of the first alley west of Talbott avenue; thence in a southerly direction in the center line of the first alley west of Talbott avenue to the center line of Twenty-eighth street; thence in a westerly direction in the center line of Twenty-eighth street to the center line of Nice street; thence in a northerly direction in the center line of Nice street to the center line of Thirty-second street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Fourth Ward: Beginning at the intersection of Capitol avenue and Twenty-eighth street; thence in an

easterly direction in the center line of Twenty-eighth street to the center line of the first alley west of Talbott avenue; thence in a southerly direction in the center line of the first alley west of Talbott avenue to the center line of Fall creek; thence in a southwesterly direction in the center line of Fall creek to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Twenty-eighth street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Fourth Ward: Beginning at the intersection of Northwestern avenue and Twenty-eighth street; thence in an easterly direction in the center line of Twenty-eighth street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Fall creek; thence in a southerly and southwesterly direction in the center line of Fall creek to the center line of Northwestern avenue; thence in a northwesterly direction in the center line of Northwestern avenue to the center line of Twenty-eighth street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Fourth Ward: Beginning at the intersection of Clifton street and Thirty-sixth street; thence in an easterly direction in the center line of Thirty-sixth street to the center line of Northwestern avenue; thence in a southeasterly direction in the center line of Northwestern avenue to the center line of Thirty-second street; thence in an easterly direction in the center line of Thirty-second street to the center line of Nice street; thence in a southerly direction in the center line of Nice street to the center line of Twenty-eighth street; thence in a westerly direction in the center line of Twenty-eighth street to the center line of Northwestern avenue; thence in a northwesterly direction in the center line of Northwestern avenue to the center line of Eugene street; thence in a westerly direction in the center line of Eugene street to the center line of Annette street; thence in a northerly direction in the center line of Annette street to the center line of Thirtieth street; thence in a westerly direction in the center line of Thirtieth street to the center line of Rader street; thence in a northerly direction in the center line of Rader street to the center line of Thirty-fourth street; thence in a westerly direction in the center line of Thirty-fourth street to the center line of Clifton street; thence in a northerly direction in the center line of Clifton street to the center line of Thirty-sixth street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Fourth Ward: Beginning at the intersection of the north corporation limits and Northwestern avenue; thence in a southeasterly direction in the center line of Northwestern avenue to the center line of Thirty-sixth street; thence in a westerly direction in the center line of Thirty-sixth street to the center line of Clifton street; thence in a southerly direction in the center line of Clifton street to the center line of Thirty-fourth street; thence in an easterly direction in the center line of Thirty-fourth street to the center line of Rader street; thence in a southerly direction in the center line of Rader street to the center line of Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Annette street; thence in a southerly direction in the center line of Annette street to the center line of Eugene street; thence in a westerly direction in the center line of Eugene street to the center line of the Canal; thence in a northwesterly direction in the center line of the Canal to the center line of Thirtieth street; thence in a westerly direction in the center line of Thirtieth street to the west line of Riverside Park; thence in a northerly and northwesterly direction along the west line of said Riverside Park to the north corporation limits; thence in an

easterly direction along the north corporation limits to the center line of Northwestern avenue, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Fourth Ward: Beginning at the intersection of the Canal and Eugene street; thence in an easterly direction in the center line of Eugene street to the center line of Northwestern avenue; thence in a southeasterly direction in the center line of Northwestern avenue to the center line of Udell street; thence in a westerly direction in the center line of Udell street to the center line of the Canal; thence in a northwesterly direction in the center line of the Canal to the center line of Eugene street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Fourth Ward: Beginning at the intersection of the Canal and Udell street; thence in an easterly direction in the center line of Udell street to the center line of Northwestern avenue; thence in a southeasterly direction in the center line of Northwestern avenue to the center line of Twenty-seventh street; thence in a westerly direction in the center line of Twenty-seventh street to the center line of the Canal; thence in a northwesterly direction in the center line of the Canal to the center line of Udell street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Fourth Ward: Beginning at the intersection of the Canal and Twenty-seventh street; thence in an easterly direction in the center line of Twenty-seventh street to the center line of Northwestern avenue; thence in a southeasterly direction in the center line of Northwestern avenue to the center line of Twenty-fifth street; thence in a westerly direction in the center line of Twenty-fifth street to the center of the Canal; thence in a northwesterly direction in the center line of the Canal to the center line of Twenty-seventh street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Fourth Ward: Beginning at the intersection of the Canal and Twenty-fifth street; thence in an easterly direction in the center line of Twenty-fifth street to the center line of Northwestern avenue; thence in a southeasterly direction in the center line of Northwestern avenue to the center line of Fall Creek; thence in a northwesterly and southwesterly direction in the center line of Fall Creek to the center line of the Canal; thence in a northwesterly direction in the center line of the Canal to the center line of Twenty-fifth street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Fourth Ward: Beginning at the intersection of the west corporation limits and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of the Canal; thence in a southeasterly direction in the center line of the Canal to the center line of Fall Creek; thence in a southwesterly direction in the center line of Fall Creek to the center line of Twenty-first street; thence in a westerly direction in the center line of Twenty-first street to the center line of Schurman avenue; thence in a southerly direction in the center line of Schurman avenue to the center line of the Crawfordsville road; thence in a northwesterly direction in the center line of the Crawfordsville road to the west corporation limits; thence in a northerly direction along said west line of the corporation limits to the center line of Thirtieth street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Fourth Ward: Beginning at the intersection of Schurman avenue and Twenty-first

street; thence in an easterly direction in the center line of Twenty-first street to the center line of Fall creek; thence in a southerly direction in the center line of Fall creek to the center line of Indiana avenue; thence in a southeasterly direction in the center line of Indiana avenue to the center line of Tenth street; thence in a southwesterly and westerly direction in the center line of Tenth street to the center line of White river; thence in a northeasterly direction in the center line of White river to a point 992.2 feet north of the center line of Tenth street measured at right angles thereto; thence in a westerly direction parallel to the north line of Tenth street to the center line of the first road west of White river; thence in a northwesterly direction in the center line of the first road west of White river to the center line of the Crawfordsville road; thence in an easterly, northeasterly and southeasterly direction in the center line of the Crawfordsville road to the center line of Schurman avenue; thence in a northerly direction in the center line of Schurman avenue to the center line of Twenty-first street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Fourth Ward: Beginning at the intersection of Twenty-first street and Fall creek; thence in a northeasterly and southeasterly direction in the center line of Fall creek to the center line of Northwestern avenue; thence in a southerly direction in the center line of Northwestern avenue to the center line of Fifteenth street; thence in a westerly direction in the center line of Fifteenth street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of Thirteenth street; thence in a westerly direction in the center line of Thirteenth street to the center line of Fall creek; thence in a northerly and northwesterly direction in the center line of Fall creek to the center line of Twenty-first street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Fourth Ward: Beginning at the intersection of Fall creek and Thirteenth street; thence in an easterly direction in the center line of Thirteenth street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of Twelfth street; thence in a westerly direction in the center line of Twelfth street to the center line of Oregon street; thence in a southerly direction in the center line of Oregon street to the center line of Darnell street; thence in a westerly direction in the center line of Darnell street to the center line of Wayne street; thence continuing in a northwesterly direction in the center line of Wayne street to the center line of Fall creek; thence in a northeasterly direction in the center line of Fall creek to the center line of Thirteenth street, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, Fourth Ward: Beginning at the intersection of Fall creek and Wayne street; thence in a southeasterly direction in the center line of Wayne street to the center line of Darnell street; thence in an easterly direction in the center line of Darnell street to the center line of Oregon street; thence in a northerly direction in the center line of Oregon street to the center line of Twelfth street; thence in an easterly direction in the center line of Twelfth street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Indiana avenue; thence in a northwesterly direction in the center line of Indiana avenue to the center line of Fall creek; thence in a northerly and northwesterly direction in the center line of Fall creek to the center line of Wayne street, the place of beginning.

FIFTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Fifth Ward: Beginning at the intersection of Paca street and Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of West street; thence in a southeasterly direction in the center line of West street to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of Paca street; thence in a northerly direction in the center line of Paca street to the center line of Tenth street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Fifth Ward: Beginning at the intersection of Indiana avenue and Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Paca street; thence in a southerly direction in the center line of Paca street to the center line of Indiana avenue; thence in a southeasterly direction in the center line of Indiana avenue to the center line of Bright street; thence in a southerly direction in the center line of Bright street to the center line of Walnut street; thence in a westerly direction in the center line of Walnut street to the center line of Blake street; thence in a northerly direction in the center line of Blake street to the center line of Rhode Island street; thence in a westerly direction in the center line of Rhode Island street to the center line of Minerva street; thence in a northerly direction in the center line of Minerva street to the center line of Indiana avenue; thence in a northwesterly direction in the center line of Indiana avenue to the center line of Tenth street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Fifth Ward: Beginning at the intersection of White river and Tenth street; thence in an easterly and northeasterly direction in the center line of Tenth street to the center line of Indiana avenue; thence in a southeasterly direction in the center line of Indiana avenue to the center line of Minerva street; thence in a southerly direction in the center line of Minerva street to the center line of Rhode Island street; thence in an easterly direction in the center line of Rhode Island street to the center line of Blake street; thence in a southerly direction in the center line of Blake street to the center line of Walnut street; thence in a westerly direction in the center line of Walnut street to the center line of White river; thence, in a northerly direction in the center line of White river to the center line of Tenth street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Fifth Ward: Beginning at the intersection of White river and Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of Agnes street; thence in a southerly direction in the center line of Agnes street to the center line of North street; thence in a westerly direction in the center line of North street to the center line of Agnes street; thence in a southerly direction in the center line of Agnes street to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of White river; thence in a northwesterly direction in the center line of White river to the center line of Walnut street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Fifth Ward: Beginning at the intersection of Agnes street and Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of Blake street; thence in a northerly direction in the center line of Blake street to the center line of Walnut street; thence in an easterly direction

in the center line of Walnut street to the center line of Bright street; thence in a northerly direction in the center line of Bright street to the center line of Indiana avenue; thence in a southeasterly direction in the center line of Indiana avenue to the center line of Blackford street; thence in a southerly direction in the center line of Blackford street to the center line of North street; thence in a westerly direction in the center line of North street to the center line of Agnes street; thence in a northerly direction in the center line of Agnes street to the center line of Walnut street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Fifth Ward: Beginning at the intersection of Paca street and St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of West street; thence in a southeasterly direction in the center line of West street to the center line of North street; thence in a westerly direction in the center line of North street to the center line of Blackford street; thence in a northerly direction in the center line of Blackford street to the center line of Indiana avenue; thence in a northwesterly direction in the center line of Indiana avenue to the center line of Paca street and St. Clair street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Fifth Ward: Beginning at the intersection of Blackford street and North street; thence in an easterly direction in the center line of North street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of Blackford street; thence in a northerly direction in the center line of Blackford street to the center line of North street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Fifth Ward: Beginning at the intersection of Agnes street and North street; thence in an easterly direction in the center line of North street to the center line of Blackford street; thence in a southerly direction in the center line of Blackford street to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Agnes street; thence in a northerly direction in the center line of Agnes street to the center line of North street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Fifth Ward: Beginning at the intersection of Bright street and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Blackford street; thence in a southerly direction in the center line of Blackford street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Geisendorff street; thence in a northerly direction in the center line of Geisendorff street to the center line of New York street; thence in an easterly direction in the center line of New York street to the center line of Bright street; thence in a northerly direction in the center line of Bright street to the center line of Michigan street, place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Fifth Ward: Beginning at the intersection of Douglass and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Bright street; thence in a southerly direction in the center line of Bright street to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of Geisendorff street; thence in a southerly direction in the center line of Geisen-

dorff street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of White river; thence in a northerly direction in the center line of White river to the center line of Washington avenue; thence in an easterly direction in the center line of Washington avenue to the center line of Blake street; thence in a northerly direction in the center line of Blake street to the center line of New York street; thence in an easterly direction in the center line of New York street to the center line of Douglass street; thence in a northerly direction in the center line of Douglass street to the center line of Michigan street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Fifth Ward: Beginning at the intersection of Minerva street and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Douglass street; thence in a southerly direction in the center line of Douglass street to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of Minerva street; thence in a northerly direction in the center line of Minerva street to the center line of Michigan street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Fifth Ward: Beginning at the intersection of Mill Race avenue and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Minerva street; thence in a southerly direction in the center line of Minerva street to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of Agnes street; thence in a northerly direction in the center line of Agnes street to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Mill Race avenue; thence in a northwesterly direction in the center line of Mill Race avenue to the center line of Michigan street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Fifth Ward: Beginning at the intersection of White river and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Mill Race avenue; thence in a southeasterly direction in the center line of Mill Race avenue to the center line of Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Agnes street; thence in a southeasterly direction in the center line of Agnes street to the center line of New York street; thence in an easterly direction in the center line of New York street to the center line of Blake street; thence in a southerly direction in the center line of Blake street to the center line of Washington avenue; thence in a westerly direction in the center line of Washington avenue to the center line of White river; thence in a northwesterly direction in the center line of White river to the center line of Michigan street, the place of beginning.

SIXTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Sixth Ward: Beginning at the intersection of Capitol avenue and Pratt street; thence in an easterly direction in the center line of Pratt street to the center line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Pratt street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Sixth Ward: Beginning at the intersection of Missouri street and Pratt street; thence in an easterly direction in the center line of Pratt street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of North street; thence in a westerly direction in the center line of North street to the center line of Missouri street; thence in a northerly and northwesterly direction in the center line of Missouri street to the center line of Pratt street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Sixth Ward: Beginning at the intersection of West street and Pratt street; thence in an easterly direction in the center line of Pratt street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Indiana avenue; thence in a northwesterly direction in the center line of Indiana avenue to the center line of West street; thence in a northwesterly direction in the center line of West street to the center line of Pratt street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Sixth Ward: Beginning at the intersection of West street and Indiana avenue; thence in a southeasterly direction in the center line of Indiana avenue to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of West street; thence in a northerly and northwesterly direction in the center line of West street to the center line of Indiana avenue, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Sixth Ward: Beginning at the intersection of Capitol avenue and St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of North street; thence in a westerly direction in the center line of North street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of St. Clair street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Sixth Ward: Beginning at the intersection of Meridian street and North street; thence in an easterly direction in the center line of North street to the center line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of North street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Sixth Ward: Beginning at the intersection of Illinois street and North street; thence in an easterly direction in the center line of North street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of North street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Sixth Ward: Beginning at the intersection of Capitol avenue and North street; thence in an east-

erly direction in the center line of North street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of North street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Sixth Ward: Beginning at the intersection of Senate avenue and North street; thence in an easterly direction in the center line of North street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of North street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Sixth Ward: Beginning at the intersection of Missouri street and North street; thence in an easterly direction in the center line of North street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of North street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Sixth Ward: Beginning at the intersection of West street and Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of West street; thence in a northerly direction in the center line of West street to the center line of Vermont street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Sixth Ward: Beginning at the intersection of Missouri street and Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Vermont street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Sixth Ward: Beginning at the intersection of Capitol avenue and Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Vermont street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Sixth Ward: Beginning at the intersection of Capitol avenue and New York street; thence in an easterly direction in the center line of New York street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Ohio street;

thence in a westerly direction in the center line of Ohio street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of New York street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Sixth Ward: Beginning at the intersection of Missouri street and New York street; thence in an easterly direction in the center line of New York street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of New York street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Sixth Ward: Beginning at the intersection of Blackford street and New York street; thence in an easterly direction in the center line of New York street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Blackford street; thence in a northerly direction in the center line of Blackford street to the center line of New York street, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, Sixth Ward: Beginning at the intersection of West street and Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of West street; thence in a northerly direction in the center line of West street to the center line of Ohio street, the place of beginning.

Eighteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighteenth Precinct, Sixth Ward: Beginning at the intersection of Capitol avenue and Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of Market street; thence in a westerly direction in the center line of Market street to the center line of Monument Place; thence around the north side of Monument Place to the center line of Market street; thence in a westerly direction in the center line of Market street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Ohio street, the place of beginning.

Nineteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Nineteenth Precinct, Sixth Ward: Beginning at the intersection of Capitol avenue and Market street; thence in an easterly direction in the center line of Market street to the center line of Monument Place; thence around the north side of Monument Place to the center line of Market street; thence in an easterly direction in the center line of Market street to the center line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Market street, the place of beginning.

SEVENTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Seventh Ward: Beginning at the intersection of Noble street and St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of Pine street; thence in a southerly direction in the center line of Pine street to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Noble street; thence in a northerly direction in the center line of Noble street to the center line of St. Clair street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Seventh Ward: Beginning at the intersection of Liberty street and Massachusetts avenue; thence in a northeasterly direction in the center line of Massachusetts avenue to the center line of Noble street; thence in a southerly direction in the center line of Noble street to the center line of Lockerbie street; thence in a westerly direction in the center line of Lockerbie street to the center line of Liberty street; thence in a northerly direction in the center line of Liberty street to the center line of Massachusetts avenue, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Seventh Ward: Beginning at the intersection of East street and Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of Liberty street; thence in a southerly direction in the center line of Liberty street to the center line of Lockerbie street; thence in a westerly direction in the center line of Lockerbie street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Walnut street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Seventh Ward: Beginning at the intersection of New Jersey street and Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of New Jersey street; thence in a northerly direction in the center line of New Jersey street to the center line of Walnut street, place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Seventh Ward: Beginning at the intersection of Alabama street and Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of New Jersey street; thence in a southerly direction in the center line of New Jersey street to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Walnut street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Seventh Ward: Beginning at the intersection of Alabama street and St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Walnut street; thence in a westerly direction in the center line of Walnut street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of St. Clair street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Seventh Ward: Beginning at the intersection of Delaware street and St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Delaware street; thence in a northerly direction in the center line of Delaware street to the center line of St. Clair street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Seventh Ward: Beginning at the intersection of Pennsylvania street and St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Pennsylvania street; thence in a northerly direction in the center line of Pennsylvania street to the center line of St. Clair street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Seventh Ward: Beginning at the intersection of Pennsylvania street and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of Pennsylvania street; thence in a northerly direction in the center line of Pennsylvania street to the center line of Michigan street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Seventh Ward: Beginning at the intersection of Delaware street and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of Delaware street; thence in a northerly direction in the center line of Delaware street to the center line of Michigan street; the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Seventh Ward: Beginning at the intersection of Alabama street and Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of New Jersey street; thence in a southerly direction in the center line of New Jersey street to the center line of Market street; thence in a westerly direction in the center line of Market street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Vermont street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Seventh Ward: Beginning at the intersection of New Jersey street and Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of Market street; thence in a westerly direction in the center line of Market street to the center line of New Jersey street; thence in a northerly direction in the center line of New Jersey street to the center line of Vermont street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Seventh Ward: Beginning at the intersection of East street and Lockerbie street; thence in an easterly direction in the center line of Lockerbie street to the center line of Liberty street; thence in a southerly direction in the center line of Liberty street to the center line of Lockerbie street; thence in an easterly direction in the center line of Lockerbie street to the center line of Noble street; thence in a southerly direction in the center line of Noble street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Lockerbie street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Seventh Ward: Beginning at the intersection of Noble street and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Pine street; thence in a southerly direction in the center line of Pine street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of Noble street; thence in a northerly direction in the center line of Noble street to the center line of Michigan street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Seventh Ward: Beginning at the intersection of Noble street and Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Pine street; thence in a southerly direction in the center line of Pine street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Liberty street; thence in a northerly direction in the center line of Liberty street to the center line of Market street; thence in an easterly direction in the center line of Market street to the center line of Noble street; thence in a northerly direction in the center line of Noble street to the center line of Ohio street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Seventh Ward: Beginning at the intersection of East street and Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Noble street; thence in a southerly direction in the center line of Noble street to the center line of Market street; thence in a westerly direction in the center line of Market street to the center line of Liberty street; thence in a southerly direction in the center line of Liberty street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of New Jersey street; thence in a northerly direction in the center line of New Jersey street to the center line of Market street; thence in an easterly direction in the center line of Market street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Ohio street, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, Seventh Ward: Beginning at the intersection of Pennsylvania street and Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of Market street; thence in an easterly direction in the center line of Market street to the center line of New Jersey street; thence in a southerly direction in the center line of New Jersey street to the center line of Washington street; thence in a westerly direction in the center line of Washington street

to the center line of Pennsylvania street; thence in a northerly direction in the center line of Pennsylvania street to the center line of Ohio street, the place of beginning.

EIGHTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Eighth Ward: Beginning at the intersection of College avenue and Fifteenth street; thence in an easterly direction in the center line of Fifteenth street to the center line of Cornell avenue; thence in a southerly direction in the center line of Cornell avenue to the center line of Thirteenth street; thence in a westerly direction in the center line of Thirteenth street to the center line of Ashland avenue; thence in a southerly direction in the center line of Ashland avenue to the center line of Eleventh street; thence in a westerly direction in the center line of Eleventh street to the center line of College avenue; thence in a northerly direction in the center line of College avenue to the center line of Fifteenth street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Eighth Ward: Beginning at the intersection of Park avenue and Fifteenth street; thence in an easterly direction in the center line of Fifteenth street to the center line of College avenue; thence in a southerly direction in the center line of College avenue to the center line of Eleventh street; thence in a westerly direction in the center line of Eleventh street to the center line of Park avenue; thence in a northerly direction in the center line of Park avenue to the center line of Fifteenth street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Eighth Ward: Beginning at the intersection of Alabama street and Fifteenth street; thence in an easterly direction in the center line of Fifteenth street to the center line of Central avenue; thence in a southerly direction in the center line of Central avenue to the center line of Fifteenth street; thence in an easterly direction in the center line of Fifteenth street to the center line of Park avenue; thence in a southerly direction in the center line of Park avenue to the center line of Twelfth street; thence in a westerly direction in the center line of Twelfth street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Fifteenth street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Eighth Ward: Beginning at the intersection of Pennsylvania street and Sixteenth street; thence in an easterly direction in the center line of Sixteenth street to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of Thirteenth street; thence in a westerly direction in the center line of Thirteenth street to the center line of Pennsylvania street; thence in a northerly direction in the center line of Pennsylvania street to the center line of Sixteenth street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Eighth Ward: Beginning at the intersection of Capitol avenue and Sixteenth street; thence in an easterly direction in the center line of Sixteenth street to the center line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of Fourteenth street; thence in a westerly direction in the center line of Fourteenth street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of Fifteenth street; thence

in a westerly direction in the center line of Fifteenth street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Sixteenth street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Eighth Ward: Beginning at the intersection of Capitol avenue and Fifteenth street; thence in an easterly direction in the center line of Fifteenth street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Eleventh street; thence in a westerly direction in the center line of Eleventh street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Fifteenth street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Eighth Ward: Beginning at the intersection of Illinois street and Fourteenth street; thence in an easterly direction in the center line of Fourteenth street to the center line of Pennsylvania street thence in a southerly direction in the center line of Pennsylvania street to the center line of Eleventh street; thence in a westerly direction in the center line of Eleventh street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of Fourteenth street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Eighth Ward: Beginning at the intersection of Pennsylvania street and Thirteenth street; thence in an easterly direction in the center line of Thirteenth street to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of St. Joseph street; thence in a westerly direction in the center line of St. Joseph street to the center line of Pennsylvania street; thence in a northerly direction in the center line of Pennsylvania street to the center line of Thirteenth street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Eighth Ward: Beginning at the intersection of Alabama street and Twelfth street; thence in an easterly direction in the center line of Twelfth street to the center line of Park avenue; thence in a southerly direction in the center line of Park avenue to the center line of Eleventh street; thence in a westerly direction in the center line of Eleventh street to the center line of Central avenue; thence in a southerly direction in the center line of Central avenue to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of New Jersey street; thence in a southerly direction in the center line of New Jersey street to the center line of St. Joseph street; thence in a westerly direction in the center line of St. Joseph street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Twelfth street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Eighth Ward: Beginning at the intersection of Central avenue and Eleventh street; thence in an easterly direction in the center line of Eleventh street to the center line of Ashland avenue; thence in a southerly direction in the center line of Ashland avenue to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Ft. Wayne avenue; thence in a southwesterly direction in the center line of Ft. Wayne avenue to the center line of New Jersey street; thence in a northerly direction in the center line of New Jersey street to the

center line of Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Central avenue; thence in a northerly direction in the center line of Central avenue to the center line of Eleventh street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Eighth Ward: Beginning at the intersection of Ashland avenue and Thirteenth street; thence in an easterly direction in the center line of Thirteenth street to the center line of Cornell avenue; thence in a southerly direction in the center line of Cornell avenue to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Ashland avenue; thence in a northerly direction in the center line of Ashland avenue to the center line of Thirteenth street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Eighth Ward: Beginning at the intersection of St. Clair street and Massachusetts avenue; thence in a northeasterly direction in the center line of Massachusetts avenue to the Lake Erie & Western Railway Company's right of way; thence in a southerly direction in the center line of the Lake Erie & Western Railway Company's right of way to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of Massachusetts avenue, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Eighth Ward: Beginning at the intersection of Broadway and Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Ashland avenue; thence in a southerly direction in the center line of Ashland avenue to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of Broadway; thence in a northerly direction in the center line of Broadway to the center line of Tenth street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Eighth Ward: Beginning at the intersection of New Jersey street and Ft. Wayne avenue; thence in a northeasterly direction in the center line of Ft. Wayne avenue to the center line of Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Broadway; thence in a southerly direction in the center line of Broadway to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of New Jersey street; thence in a northerly direction in the center line of New Jersey street to the center line of Ft. Wayne avenue, the place of beginning.

Fifteenth Precinct.—All that part of said city bounded as follows shall be and constitute the Fifteenth Precinct, Eighth Ward: Beginning at the intersection of Delaware street and St. Joseph street; thence in an easterly direction in the center line of St. Joseph street to the center line of New Jersey street; thence in a southerly direction in the center line of New Jersey street to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of Delaware street; thence in a northerly direction in the center line of Delaware street to the center line of St. Joseph street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Eighth Ward: Beginning at the intersection of Meridian street and St. Joseph street; thence in an easterly direction in the center line of St. Joseph street to the cen-

ter line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of St. Joseph street; thence in an easterly direction in the center line of St. Joseph street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of Pennsylvania street; thence in a northerly direction in the center line of Pennsylvania street to the center line of Pratt street; thence in a westerly direction in the center line of Pratt street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of St. Joseph street, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, Eighth Ward: Beginning at the intersection of Capitol avenue and Eleventh street; thence in an easterly direction in the center line of Eleventh street to the center line of Pennsylvania street; thence in a southerly direction in the center line of Pennsylvania street to the center line of St. Joseph street; thence in a westerly direction in the center line of St. Joseph street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Pratt street; thence in a westerly direction in the center line of Pratt street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Eleventh street, the place of beginning.

NINTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Ninth Ward: Beginning at the intersection of Beville avenue and Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of the Indianapolis Union Railway Company's right of way; thence in a southwesterly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Beville avenue; thence in a northerly direction in the center line of Beville avenue to the center line of Tenth street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Ninth Ward: Beginning at the intersection of the east boundary line of Woodruff Place and Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Beville avenue; thence in a southerly direction in the center line of Beville avenue to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the east boundary line of Woodruff Place; thence in a northerly direction along the said east boundary line of Woodruff Place to the center line of Tenth street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Ninth Ward: Beginning at the intersection of Highland avenue and Tenth street; thence in an easterly direction in the center line of Tenth street to the west boundary line of Woodruff Place; thence in a southerly direction along the said west boundary line of Woodruff Place to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Highland avenue; thence in a southerly direction in the center line of Highland avenue to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Dorman street; thence in a northerly

direction in the center line of Dorman street to the center line of St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of Highland avenue; thence in a northerly direction in the center line of Highland avenue to the center line of Tenth street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Ninth Ward: Beginning at the intersection of the Lake Erie & Western Railroad Company's right of way and Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Highland avenue; thence in a southerly direction in the center line of Highland avenue to the center line of St. Clair street; thence in a westerly direction in the center line of St. Clair street to the center line of Dorman street; thence in a southerly direction in the center line of Dorman street to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Pine street; thence in a northerly direction in the center line of Pine street to the center line of St. Clair street; thence in an easterly direction in the center line of St. Clair street to the center line of the Lake Erie & Western Railroad Company's right of way; thence in a northerly direction in the center line of the Lake Erie & Western Railroad Company's right of way to the center line of Tenth street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Ninth Ward: Beginning at the intersection of Pine street and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Highland avenue; thence in a northerly direction in the center line of Highland avenue to the center line of Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Arsenal avenue; thence in a southerly direction in the center line of Arsenal avenue to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of Highland avenue; thence in a northerly direction in the center line of Highland avenue to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Pine street; thence in a northerly direction in the center line of Pine street to the center line of Michigan street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Ninth Ward: Beginning at the intersection of Pine street and Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Highland avenue; thence in a southerly direction in the center line of Highland avenue to the center line of New York street; thence in an easterly direction in the center line of New York street to the center line of Arsenal avenue; thence in a southerly direction in the center line of Arsenal avenue to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of Pine street; thence in a northerly direction in the center line of Pine street to the center line of Vermont street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Ninth Ward: Beginning at the intersection of Pine street and Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Oriental street; thence in a southerly direction in the center line of Oriental street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Pine street; thence in a northerly direction in the center line of Pine street to the center line of Ohio street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Ninth Ward: Beginning at the intersection of Arsenal avenue and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Oriental street; thence in a northerly direction in the center line of Oriental street to the center line of Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Arsenal avenue; thence in a northerly direction in the center line of Arsenal avenue to the center line of Michigan street, the place of beginning.

Ninth Precinct.—All that part of said city bounded as follows shall be and constitute the Ninth Precinct, Ninth Ward: Beginning at the intersection of State avenue and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of the first alley west of Hamilton avenue; thence in a southerly direction along the center line of the said alley to the center line of Washington street; thence in a westerly direction along the center line of Washington street to the center line of State avenue; thence in a northerly direction in the center line of State avenue to the center line of Michigan street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Ninth Ward: Beginning at the intersection of the first alley west of Hamilton avenue and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Tacoma avenue; thence in a southerly direction in the center line of Tacoma avenue to the center line of New York street; thence in a westerly direction in the center line of New York street to the center line of the first alley west of Hamilton avenue; thence in a northerly direction along the center line of said alley to the center line of Michigan street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Ninth Ward: Beginning at the intersection of the first alley west of Hamilton avenue and New York street; thence in an easterly direction in the center line of New York street to the center line of Keystone avenue; thence in a southerly direction in the center line of Keystone avenue to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of the first alley west of Hamilton avenue; thence in a northerly direction in the center line of the said alley to the center line of New York street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Ninth Ward: Beginning at the intersection of Tacoma avenue and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Eastern avenue; thence in a southerly direction in the center line of Eastern avenue to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Keystone avenue; thence in a northerly direction in the center line of Keystone avenue to the center line of New York street; thence in an easterly direction in the center line of New York street to the center line of Tacoma avenue; thence in a northerly direction in the center line of Tacoma avenue to the center line of Michigan street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Ninth Ward: Beginning at the intersection of Eastern avenue and Michigan street; thence in an easterly direction in the center line of Michigan street to

the center line of the Indianapolis Union Railway Company's right of way; thence in a southerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Eastern avenue; thence in a northerly direction in the center line of Eastern avenue to the center line of Michigan street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Ninth Ward: Beginning at the intersection of the Indianapolis Union Railway Company's right of way and New York street; thence in an easterly direction in the center line of New York street to the center line of Emerson avenue; thence in a southerly direction in the center line of Emerson avenue to the south corporation limits; thence in a westerly direction along the said south corporation limits to the center line of Temperance avenue; thence in a northerly direction in the center line of Temperance avenue to the center line of English avenue; thence in an easterly direction in the center line of English avenue to the center line of Worcester avenue; thence in a northerly direction in the center line of Worcester avenue to the center line of the Brookville road; thence in a southeasterly direction in the center line of the Brookville road to Parker avenue; thence in a northerly direction in the center line of Parker avenue to the center line of the Cincinnati, Hamilton & Dayton Railroad Company's right of way; thence in a westerly direction in the center line of the Cincinnati, Hamilton & Dayton Railroad Company's right of way to the Indianapolis Union Railway Company's right of way; thence in a northerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of New York street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Ninth Ward: Beginning at the intersection of Walnut street and the Indianapolis Union Railway Company's right of way; thence in a southerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of New York street; thence in an easterly direction in the center line of New York street to the center line of Emerson avenue; thence in a northerly direction in the center line of Emerson avenue to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of the first alley east of Linwood avenue; thence in a northerly direction in the center line of the first alley east of Linwood avenue to the north corporation limits; thence in a westerly direction along said north corporation limits to the center line of Sherman drive; thence in a northerly direction in the center line of Sherman drive to the center line of Walnut street; thence in a westerly direction in the center line of Walnut street to the center line of the Indianapolis Union Railway Company's right of way, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Ninth Ward: Beginning at the intersection of Washington street and Emerson avenue; thence in a northerly direction in the center line of Emerson avenue to the center line of Michigan street; thence in an easterly direction in the center line of Michigan street and the north corporation limits to the east corporation limits; thence in a southerly direction along said east corporation limits to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Emerson avenue, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, Ninth Ward:

Beginning at the intersection of Emerson avenue and Washington street; thence in an easterly direction in the center line of Washington street to the center line of Ritter avenue; thence in a southerly direction in the center line of Ritter avenue to the south corporation limits; thence in a northwesterly, southerly and westerly direction along the said south corporation limits to the center line of Emerson avenue; thence in a northerly direction in the center line of Emerson avenue to the center line of Washington street, the place of beginning.

Eighteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighteenth Precinct, Ninth Ward: Beginning at the intersection of Ritter avenue and Washington street; thence in an easterly direction in the center line of Washington street to the corporation limits on the east; thence in a southerly direction along said east corporation limits to the corporation limits on the south; thence in a westerly direction along said south corporation limits to the center line of Ritter avenue; thence in a northerly direction in the center line of Ritter avenue to the center line of Washington street, the place of beginning.

TENTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Tenth Ward: Beginning at the intersection of State avenue and Washington street; thence in an easterly direction in the center line of Washington street to the center line of the Indianapolis Union Railway Company's right of way; thence in a southerly direction in the center line of the Indianapolis Union Railway Company's right of way to the Cincinnati, Hamilton & Dayton Railway Company's right of way; thence in a westerly direction in the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way to the center line of State avenue; thence in a northerly direction in the center line of State avenue to the center line of Washington street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Tenth Ward: Beginning at the intersection of Southeastern avenue and Washington street; thence in an easterly direction in the center line of Washington street to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way; thence in a westerly direction in the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way to the center line of Leota street; thence in a southerly direction in the center line of Leota street to the center line of Maryland street; thence in a westerly direction in the center line of Maryland street to the center line of Cruse street; thence in a northerly direction in the center line of Cruse street to the center line of Southeastern avenue; thence in a northwesterly direction in the center line of Southeastern avenue to the center line of Washington street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Tenth Ward: Beginning at the intersection of Shelby street and Maryland street; thence in an easterly direction in the center line of Maryland street to the center line of Leota street; thence in a northerly direction in the center line of Leota street to the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way; thence in an easterly direction in the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of the Big Four Railway Company's right of way; thence in a northwesterly direction in the center line of the Big Four Railway Company's right of way

to the center line of Leota street; thence in a northerly direction in the center line of Leota street to the center line of Bates street; thence in a westerly direction in the center line of Bates street to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of Maryland street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Tenth Ward: Beginning at the intersection of State avenue and the Cincinnati, Hamilton & Dayton Railway Company's right of way; thence in an easterly direction in the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way to the corporation limits on the east; thence in a southerly direction along said corporation limits to the center line of English avenue; thence in a westerly direction in the center line of English avenue to the center line of Keystone avenue; thence in a southerly direction in the center line of Keystone avenue to the center line of Prospect street; thence in a westerly direction in the center line of Prospect street to the center line of St. Paul street; thence in a northerly direction in the center line of St. Paul street to the center line of the Big Four Railway Company's right of way; thence in a northwesterly direction in the center line of the Big Four Railway Company's right of way to the center line of State avenue; thence in a northerly direction in the center line of State avenue to the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Tenth Ward: Beginning at the intersection of Shelby street and Bates street; thence in an easterly direction in the center line of Bates street to the center line of Leota street; thence in a southerly direction in the center line of Leota street to the center line of the Big Four Railway Company's right of way; thence in a southeasterly direction in the center line of the Big Four Railway Company's right of way to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of Spann avenue; thence in a westerly direction in the center line of Spann avenue to the center line of Olive street; thence in a northerly direction in the center line of Olive street to the center line of English avenue; thence in a westerly direction in the center line of English avenue to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of Bates street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Tenth Ward: Beginning at the intersection of Olive street and Spann avenue; thence in an easterly direction in the center line of Spann avenue to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of Fletcher avenue; thence in a westerly direction in the center line of Fletcher avenue to the center line of Spruce street; thence in a southerly direction in the center line of Spruce street to the center line of Hoyt avenue; thence in a westerly direction in the center line of Hoyt avenue to the center line of Olive street; thence in a northerly direction in the center line of Olive street to the center line of Spann avenue, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Tenth Ward: Beginning at the intersection of Shelby street and English avenue; thence in an easterly direction in the center line of English avenue to the center line of Olive street; thence in a southerly direction in the center line of Olive street to the center line of Prospect street; thence in a westerly

direction in the center line of Prospect street to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of English avenue, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Tenth Ward: Beginning at the intersection of Olive street and Hoyt avenue; thence in an easterly direction in the center line of Hoyt avenue to the center line of Spruce street; thence in a southerly direction in the center line of Spruce street to the center line of Lexington avenue; thence in an easterly direction in the center line of Lexington avenue to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of Pleasant street; thence in a westerly direction in the center line of Pleasant street to the center line of Olive street; thence in a northerly direction in the center line of Olive street to the center line of Hoyt avenue, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Tenth Ward: Beginning at the intersection of Spruce street and Fletcher avenue; thence in an easterly direction in the center line of Fletcher avenue to the center line of the Big Four Railway Company's right of way; thence in a southeasterly direction in the center line of the Big Four Railway Company's right of way to the center line of Lexington avenue; thence in a westerly direction in the center line of Lexington avenue to the center line of Spruce street; thence in a northerly direction in the center line of Spruce street to the center line of Fletcher avenue, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Tenth Ward: Beginning at the intersection of State avenue and Lexington avenue; thence in an easterly direction in the center line of Lexington avenue to the center line of St. Paul street; thence in a southerly direction in the center line of St. Paul street to the center line of Prospect street; thence in a westerly direction in the center line of Prospect street to the center line of State avenue; thence in a northerly direction in the center line of State avenue to the center line of Lexington avenue, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Tenth Ward: Beginning at the intersection of Olive street and Pleasant street; thence in an easterly direction in the center line of Pleasant street to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of Prospect street; thence in a westerly direction in the center line of Prospect street to the center line of Olive street; thence in a northerly direction in the center line of Olive street to the center line of Pleasant street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Tenth Ward: Beginning at the intersection of Shelby street and Prospect street; thence in an easterly direction in the center line of Prospect street to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of Orange street; thence in a westerly direction in the center line of Orange street to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of Prospect street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Tenth Ward: Beginning at the intersection of State avenue and Prospect street; thence in an easterly direction in the center line of Prospect street to the center line of Keystone avenue; thence in a southerly direction in the

center line of Keystone avenue to the center line of Minnesota street; thence in a westerly direction in the center line of Minnesota street to the center line of Churchman avenue; thence in a northerly direction in the center line of Churchman avenue to the center line of Orange street; thence in a westerly direction in the center line of Orange street to the center line of State avenue; thence in a northerly direction in the center line of State avenue to the center line of Prospect street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Tenth Ward: Beginning at the intersection of Laurel street and Orange street; thence in an easterly direction in the center line of Orange street to the center line of Churchman avenue; thence in a southerly direction in the center line of Churchman avenue to the center line of Minnesota street; thence in a westerly direction in the center line of Minnesota street to the center line of Arthur street; thence in a northerly direction in the center line of Arthur street to the center line of Cottage avenue; thence in an easterly direction in the center line of Cottage avenue to the center line of Laurel street; thence in a northerly direction in the center line of Laurel street to the center line of Orange street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Tenth Ward: Beginning at the intersection of Shelby street and Orange street; thence in an easterly direction in the center line of Orange street to the center line of Laurel street; thence in a southerly direction in the center line of Laurel street to the center line of Cottage avenue; thence in a westerly direction in the center line of Cottage avenue to the center line of Arthur street; thence in a southerly direction in the center line of Arthur street to the center line of Minnesota street; thence in a westerly direction in the center line of Minnesota street to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of Orange street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Tenth Ward: Beginning at the intersection of Shelby street and Minnesota street; thence in an easterly direction in the center line of Minnesota street to the center line of the Indianapolis Union Railway Company's right of way; thence in a southwesterly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of LeGrand avenue; thence in a westerly direction in the center line of LeGrand avenue to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of Minnesota street, the place of beginning.

Seventeenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventeenth Precinct, Tenth Ward: Beginning at the intersection of Shelby street and LeGrand avenue; thence in an easterly direction in the center line of LeGrand avenue to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the south corporation limits; thence in a westerly direction along the said south corporation limits to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of LeGrand avenue, the place of beginning.

ELEVENTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Eleventh Ward: Beginning at the intersection of Maryland street and Shelby street; thence in a

southerly direction in the center line of Shelby street to the center line of Harrison street; thence in a westerly direction in the center line of Harrison street to the center line of Pine street; thence in a northerly direction in the center line of Pine street to the center line of Washington street; thence in an easterly direction in the center line of Washington street to the center line of the intersection of Southeastern avenue; thence in a southeasterly direction in the center line of Southeastern avenue to the center line of Cruse street; thence in a southerly direction in the center line of Cruse street to the center line of Maryland street; thence in an easterly direction in the center line of Maryland street to the center line of Shelby street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Eleventh Ward: Beginning at the intersection of Washington street and Pine street; thence in a southerly direction in the center line of Pine street to the center line of Harrison street; thence in a westerly direction in the center line of Harrison street to the center line of Noble street; thence in a northerly direction in the center line of Noble street to the center line of Georgia street; thence in an easterly direction in the center line of Georgia street to the center line of Davidson street; thence in a northerly direction in the center line of Davidson street to the center line of Washington street; thence in an easterly direction in the center line of Washington street to the center line of Pine street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Eleventh Ward: Beginning at the intersection of Washington street and Davidson street; thence in a southerly direction in the center line of Davidson street to the center line of Georgia street; thence in a westerly direction in the center line of Georgia street to the center line of Noble street; thence in a southerly direction in the center line of Noble street to the center line of Louisiana street; thence in a westerly direction in the center line of Louisiana street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Georgia street; thence in an easterly direction in the center line of Georgia street to the center line of Liberty street; thence in a northerly direction in the center line of Liberty street to the center line of Pogue's run; thence in a northeasterly direction in the center line of Pogue's run to the center line of Washington street; thence in an easterly direction in the center line of Washington street to the center line of Davidson street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Eleventh Ward: Beginning at the intersection of Washington street and Pogue's run; thence in a southwesterly direction in the center line of Pogue's run to the center line of Delaware street; thence in a northerly direction in the center line of Delaware street to the center line of Washington street; thence in an easterly direction in the center line of Washington street to the center line of Pogue's run, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Eleventh Ward: Beginning at the intersection of Pogue's run and Liberty street; thence in a southerly direction in the center line of Liberty street to the center line of Georgia street; thence in a westerly direction in the center line of Georgia street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of South street; thence in a westerly direction in the center line of South street to the center line of Delaware street; thence in a northerly direction in the center line of Delaware street to the center line of Pogue's run; thence in a northeasterly direction in the center line of Pogue's run to the center line of Liberty street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Eleventh Ward: Beginning at the intersection of Louisiana street and Noble street; thence in a southerly direction in the center line of Noble street to the center line of Fletcher avenue; thence in a southeasterly direction in the center line of Fletcher avenue to the center line of Pine street; thence in a southwesterly direction in the center line of Pine street to the center line of Virginia avenue; thence in a northwesterly direction in the center line of Virginia avenue to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Louisiana street; thence in an easterly direction in the center line of Louisiana street to the center line of Noble street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Eleventh Ward: Beginning at the intersection of Noble street and Harrison street; thence in an easterly direction in the center line of Harrison street to the center line of Shelby street; thence in a southerly direction in the center line of Shelby street to the center line of Fletcher avenue; thence in a northwesterly direction in the center line of Fletcher avenue to the center line of Noble street; thence in a northerly direction in the center line of Noble street to the center line of Harrison street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Eleventh Ward: Beginning at the intersection of Fletcher avenue and Shelby street; thence in a southerly direction in the center line of Shelby street to the center line of Elm street; thence in a northwesterly direction in the center line of Elm street to the center line of Pine street; thence in a northeasterly direction in the center line of Pine street to the center line of Fletcher avenue; thence in a southeasterly direction in the center line of Fletcher avenue to the center line of Shelby street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Eleventh Ward: Beginning at the intersection of Alabama street and south street; thence in an easterly direction in the center line of South street to the center line of Virginia avenue; thence in a southeasterly direction in the center line of Virginia avenue to the center line of Merrill street; thence in a westerly direction in the center line of Merrill street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of South street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Eleventh Ward: Beginning at the intersection of Delaware street and South street; thence in an easterly direction in the center line of South street to the center line of Alabama street; thence in a southerly direction in the center line of Alabama street to the center line of McCarty street; thence in an easterly direction in the center line of McCarty street to the center line of High street; thence in a southerly direction in the center line of High street to the center line of Bicking street; thence in a westerly direction in the center line of Bicking street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of Madison avenue; thence in a northwesterly direction in the center line of Madison avenue to the center line of McCarty street; thence in an easterly direction in the center line of McCarty street to the center line of Delaware street; thence in a northerly direction in the center line of Delaware street to the center line of South street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Eleventh Ward: Beginning at the intersection of Alabama street and Merrill street; thence in an easterly direction in the center line of Merrill street to the center line of Virginia avenue; thence in a southeasterly direction in the center line of Virginia avenue to the center line of Norwood street; thence in a westerly direction in the center line of Norwood street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of McCarty street; thence in a westerly direction in the center line of McCarty street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Merrill street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Eleventh Ward: Beginning at the intersection of East street and Norwood street; thence in an easterly direction in the center line of Norwood street to the center line of Virginia avenue; thence in a southeasterly direction in the center line of Virginia avenue to the center line of McCarty street; thence in a westerly direction in the center line of McCarty street to the center line of Noble street; thence in a southerly direction in the center line of Noble street to the center line of Buchanan street; thence in a westerly direction in the center line of Buchanan street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Norwood street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Eleventh Ward: Beginning at the intersection of Pine street and Elm street; thence in a southeasterly direction in the center line of Elm street to the center line of Shelby street; thence in a southerly direction in the center line of Shelby street to the intersection of Prospect street and Virginia avenue; thence in a northwesterly direction in the center line of Virginia avenue to the center line of Pine street; thence in a northeasterly direction in the center line of Pine street to the center line of Elm street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Eleventh Ward: Beginning at the intersection of Wright street and McCarty street; thence in an easterly direction in the center line of McCarty street to the center line of Virginia avenue; thence in a southeasterly direction in the center line of Virginia avenue to the center line of Prospect street; thence in a westerly direction in the center line of Prospect street to the center line of Wright street; thence in a northerly direction in the center line of Wright street to the center line of Buchanan street; thence in a westerly direction in the center line of Buchanan street to the center line of Wright street; thence in a northerly direction in the center line of Wright street to the center line of McCarty street, the place of beginning.

Fifteenth Precinct.—All that part of said city bounded as follows shall be and constitute the Fifteenth Precinct, Eleventh Ward: Beginning at the intersection of Noble street and McCarty street; thence in an easterly direction in the center line of McCarty street to the center line of Wright street; thence in a southerly direction in the center line of Wright street to the center line of Buchanan street; thence in an easterly direction in the center line of Buchanan street to the center line of Wright street; thence in a southerly direction in the center line of Wright street to the center line of Prospect street; thence in a westerly direction in the center line of Prospect street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Buchanan street; thence in an easterly direc-

tion in the center line of Buchanan street to the center line of Noble street; thence in a northerly direction in the center line of Noble street to the center line of McCarty street, the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct, Eleventh Ward: Beginning at the intersection of High street and McCarty street; thence in an easterly direction in the center line of McCarty street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of Prospect street; thence in a westerly direction in the center line of Prospect street to the center line of Madison avenue; thence in a northwesterly direction in the center line of Madison avenue to the center line of Delaware street; thence in a northerly direction in the center line of Delaware street to the center line of Bicking street; thence in an easterly direction in the center line of Bicking street to the center line of High street; thence in a northerly direction in the center line of High street to the center line of McCarty street, the place of beginning.

TWELFTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Twelfth Ward: Beginning at the intersection of Illinois street and Washington street; thence in an easterly direction in the center line of Washington street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of South street; thence in a westerly direction in the center line of South street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of McNabb street; thence in a westerly direction in the center line of McNabb street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of Washington street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Twelfth Ward: Beginning at the intersection of Senate avenue and Washington street; thence in an easterly direction in the center line of Washington street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Maryland street; thence in a westerly direction in the center line of Maryland street to the center line of Kentucky avenue; thence in a southwesterly direction in the center line of Kentucky avenue to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Washington street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Twelfth Ward: Beginning at the intersection of West street and Washington street; thence in an easterly direction in the center line of Washington street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of Louisiana street; thence in a westerly direction in the center line of Louisiana street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Maryland street; thence in a westerly direction in the center line of Maryland street to the center line of West street; thence in a northerly direction in the center line of West street to the center line of Washington street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Twelfth Ward: Beginning at the intersection of White river and Washington street; thence in an

easterly direction in the center line of Washington street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of Maryland street; thence in a westerly direction in the center line of Maryland street to the center line of White river; thence in a northwesterly direction in the center line of White river to the center line of Washington street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Twelfth Ward: Beginning at the intersection of White river and Maryland street; thence in an easterly direction in the center line of Maryland street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of South street; thence in a westerly direction in the center line of South street to the center line of Kentucky avenue; thence in a southwesterly direction in the center line of Kentucky avenue to the center line of White river; thence in a northwesterly, northerly and northeasterly direction in the center line of White river to the center line of Maryland street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Twelfth Ward: Beginning at the intersection of Kentucky avenue and Maryland street; thence in an easterly direction in the center line of Maryland street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Merrill street; thence in a westerly direction in the center line of Merrill street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of South street; thence in a westerly direction in the center line of South street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Louisiana street; thence in an easterly direction in the center line of Louisiana street to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Kentucky avenue; thence in a northeasterly direction in the center line of Kentucky avenue to the center line of Maryland street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Twelfth Ward: Beginning at the intersection of Illinois street and McNabb street; thence in an easterly direction in the center line of McNabb street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of South street; thence in an easterly direction in the center line of South street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of Merrill street; thence in a westerly direction in the center line of Merrill street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of McNabb street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Twelfth Ward: Beginning at the intersection of Missouri street and South street; thence in an easterly direction in the center line of South street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Merrill street; thence in a westerly direction in the center line of Merrill street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of South street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Twelfth Ward: Beginning

at the intersection of Kentucky avenue and South street; thence in an easterly direction in the center line of South street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Merrill street; thence in a westerly direction in the center line of Merrill street to the center line of Kentucky avenue; thence in a northeasterly direction in the center line of Kentucky avenue to the center line of South street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Twelfth Ward: Beginning at the intersection of Kentucky avenue and Merrill street; thence in an easterly direction in the center line of Merrill street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of McCarty street; thence in a westerly direction in the center line of McCarty street to the center line of Kentucky avenue; thence in a northeasterly direction in the center line of Kentucky avenue to the center line of Merrill street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Twelfth Ward: Beginning at the intersection of Kentucky avenue and McCarty street; thence in an easterly direction in the center line of McCarty street to the center line of Meikel street; thence in a southerly direction in the center line of Meikel street to the center line of Ray street; thence in a westerly direction in the center line of Ray street to the center line of White river; thence in a northerly direction in the center line of White river to the center line of Kentucky avenue; thence in a northeasterly direction in the center line of Kentucky avenue to the center line of McCarty street, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Twelfth Ward: Beginning at the intersection of Missouri street and Merrill street; thence in an easterly direction in the center line of Merrill street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Ray street; thence in a westerly direction in the center line of Ray street to the center line of Meikel street; thence in a northerly direction in the center line of Meikel street to the center line of McCarty street; thence in a westerly direction in the center line of McCarty street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Merrill street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Twelfth Ward: Beginning at the intersection of Capitol avenue and Merrill street; thence in an easterly direction in the center line of Merrill street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Ray street; thence in a westerly direction in the center line of Ray street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of Merrill street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct, Twelfth Ward: Beginning at the intersection of Illinois street and Merrill street; thence in an easterly direction in the center line of Merrill street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to the center line of McCarty street; thence in a westerly direction in the center line of McCarty street to the center

line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of Merrill street, the place of beginning.

Fifteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifteenth Precinct, Twelfth Ward: Beginning at the intersection of Illinois street and McCarty street; thence in an easterly direction in the center line of McCarty street to the center line of Madison avenue; thence in a southeasterly direction in the center line of Madison avenue to the center line of Ray street; thence in a westerly direction in the center line of Ray street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of McCarty street, the place of beginning.

THIRTEENTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Thirteenth Ward: Beginning at the intersection of White river and Ray street; thence in an easterly direction in the center line of Ray street to the center line of Church street; thence in a southerly direction in the center line of Church street to the center line of Morris street; thence in a westerly direction in the center line of Morris street to the center line of White river; thence in a northerly direction in the center line of White river to the center line of Ray street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Thirteenth Ward: Beginning at the intersection of Church street and Ray street; thence in an easterly direction in the center line of Ray street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Morris street; thence in a westerly direction in the center line of Morris street to the center line of Church street; thence in a northerly direction in the center line of Church street to the center line of Ray street, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Thirteenth Ward: Beginning at the intersection of Meridian street and Ray street; thence in an easterly direction in the center line of Ray street to the center line of Madison avenue; thence in a southeasterly and southern direction in the center line of Madison avenue to the center line of Downey street; thence in a westerly direction in the center line of Downey street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of Ray street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Thirteenth Ward: Beginning at the intersection of Meridian street and Downey street; thence in an easterly direction in the center line of Downey street to the center line of Madison avenue; thence in a southerly direction in the center line of Madison avenue to the Indianapolis Union Railway Company's right of way; thence in a westerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Union street; thence in a northerly direction in the center line of Union street to the center line of Palmer street; thence in a westerly direction in the center line of Palmer street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of Downey street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Thirteenth Ward: Begin-

ning at the intersection of Senate avenue and Wisconsin street; thence in an easterly direction in the center line of Wisconsin street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Palmer street; thence in an easterly direction in the center line of Palmer street to the center line of Union street; thence in a southerly direction in the center line of Union street to the center line of the Indianapolis Union Railway Company's right of way; thence in a westerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Wisconsin street, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Thirteenth Ward: Beginning at the intersection of White river and Morris street; thence in an easterly direction in the center line of Morris street to the center line of Meridian street; thence in a southerly direction in the center line of Meridian street to the center line of Wisconsin street; thence in a westerly direction in the center line of Wisconsin street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of the Indianapolis Union Railway Company's right of way; thence in a westerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of White river; thence in a northerly, westerly and northwesterly direction in the center line of White river to the center line of Morris street, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Thirteenth Ward: Beginning at the intersection of White river and the Indianapolis Union Railway Company's right of way; thence in an easterly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Madison avenue; thence in a southerly direction in the center line of Madison avenue to the center line of Southern avenue; thence in a westerly direction in the center line of Southern avenue to the center line of White river; thence in a northeasterly direction in the center line of White river to the center line of the Indianapolis Union Railway Company's right of way, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Thirteenth Ward: Beginning at the intersection of Madison avenue and Prospect street; thence in an easterly direction in the center line of Prospect street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of Nebraska street; thence in a westerly direction in the center line of Nebraska street to the center line of Madison avenue; thence in a northerly and northwesterly direction in the center line of Madison avenue to the center line of Prospect street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Thirteenth Ward: Beginning at the intersection of East street and Prospect street; thence in an easterly direction in the center line of Prospect street to the center line of Shelby street; thence in a southerly direction in the center line of Shelby street to the center line of Sanders street; thence in a westerly direction in the center line of Sanders street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Prospect street, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Thirteenth Ward: Begin-

ning at the intersection of East street and Sanders street; thence in an easterly direction in the center line of Sanders street to the center line of Shelby street; thence in a southerly direction in the center line of Shelby street to the center line of Cottage avenue; thence in a westerly direction in the center line of Cottage avenue to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Sanders street, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct, Thirteenth Ward: Beginning at the intersection of East street and Cottage avenue; thence in an easterly direction in the center line of Cottage avenue to the center line of Shelby street; thence in a southerly direction in the center line of Shelby street to the center line of Iowa street; thence in a westerly direction in the center line of Iowa street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Cottage avenue, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Thirteenth Ward: Beginning at the intersection of Madison avenue and Nebraska street; thence in an easterly direction in the center line of Nebraska street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of Raymond street; thence in a westerly direction in the center line of Raymond street to the center line of Madison avenue; thence in a northerly direction in the center line of Madison avenue to the center line of Nebraska street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Thirteenth Ward: Beginning at the intersection of East street and Iowa street; thence in an easterly direction in the center line of Iowa street to the center line of Shelby street; thence in a southerly direction in the center line of Shelby street to the center line of Southern avenue; thence in a westerly direction in the center line of Southern avenue to the center line of Madison avenue; thence in a northerly direction in the center line of Madison avenue to the center line of Raymond street; thence in an easterly direction in the center line of Raymond street to the center line of East street; thence in a northerly direction in the center line of East street to the center line of Iowa street, the place of beginning.

FOURTEENTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Fourteenth Ward: Beginning at the center line of White river and Maryland street produced west; thence in a southerly direction along the center line of White river to the center line of Oliver avenue; thence in a westerly direction in the center line of Oliver avenue to the center line of Division street; thence in a northerly direction in the center line of Division street to the center line of the Terre Haute and Indianapolis Railway Company's right of way; thence in a westerly direction in the center line of the Terre Haute and Indianapolis Railway Company's right of way to the center line of the Indianapolis Union Railway Company's right of way; thence in a northwesterly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Maryland street; thence in an easterly direction in the center line of Maryland street and the same produced in a straight line to Harding street; thence in an easterly direction produced in a straight line to the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Fourteenth Ward: Commencing in a line extended east from the center line of Oliver avenue, at the intersection of said line with the center line of White river, and running thence in a southeasterly direction with the meanderings of the center line of White river, to the center line of Morris street; thence west, with the center line of Morris street, to the center line of Drover street; thence north, with the center line of Drover street, to the center line of Ray street; thence west, with the center line of Ray street, to the center line of Marion avenue; thence north, with the center line of Marion avenue, to the center line of Oliver avenue; thence east, with the center line of said Oliver avenue, and the said line extended east, to the center line of said White river, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Fourteenth Ward: Beginning in the center line of Oliver avenue, at its intersection with the center line of Marion avenue, and running thence south, with the center line of Marion avenue, to the center line of Ray street; thence west, with the center line of Ray street, to the center line of the right of way of the Indianapolis Union Railway Company; thence northwest, with the center line of the right of way of the Indianapolis Union Railway Company, to the center line of Oliver avenue; thence east, with the center line of said Oliver avenue, to the center line of the said Marion avenue, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Fourteenth Ward: Commencing in the center line of Ray street, at its intersection with the center line of Drover street, and running thence south, with the center line of Drover street, to the center line of Morris street; thence west, with the center line of Morris street to the center line of the Indianapolis Union Railway Company's right of way; thence north, with the center line of the right of way of the Indianapolis Union Railway Company, to the center line of Ray street; thence east, with the center line of said Ray street, to the center line of said Drover street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Fourteenth Ward: Commencing in the center line of Morris street, at its intersection with the center line of White river, and running thence in a southeasterly direction, with the meanderings of the center line of White river, to the center line of the right of way of the Indianapolis Union Railway Company; thence in a northwesterly direction, with the center line of the right of way of the Indianapolis Union Railway Company, to the center line of Morris street; thence east, with the center line of Morris street, to the center line of said White river, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Fourteenth Ward: Commencing in the center line of Morris street, at its intersection with the center line of the right of way of the Indianapolis Union Railway Company, and running thence in a southeasterly direction, with the center line of the right of way of the Indianapolis Union Railway Company, to the center line of White river; thence in a southwesterly direction, with the meanderings of the center line of White river, to the south line of Center township; thence west, with the south line of Center township, to the west line of Center township; thence north, with the west line of Center township, to the center line of the right of way of the Indianapolis & Vincennes Railroad Company; thence northeast, with the center line of the right of way of the Indianapolis & Vincennes Railroad Company, to the center line of Minnesota street;

thence west, with the center line of Minnesota street, to the center line of McLain street; thence north, with the center line of McLain street, to the center line of Lambert street; thence east, with the center line of Lambert street, to the center line of Harding street; thence north, with the center line of Harding street, to the center line of Morris street; thence east, with the center line of said Morris street, to the center line of the right of way of the Indianapolis Union Railway Company, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Fourteenth Ward: Commencing in the center line of Lambert street, at its intersection with the center line of McLain street, and running thence south, with the center line of McLain street, to the center line of Minnesota street; thence east, with the center line of Minnesota street, to the center line of the right of way of the Indianapolis & Vincennes Railroad Company; thence southwest, with the center line of the right of way of the Indianapolis & Vincennes Railroad Company, to the center line of Belmont avenue; thence north, with the center line of Belmont avenue, to the center line of Lambert street; thence east, with the center line of said Lambert street, to the center line of said McLain street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Fourteenth Ward: Commencing with the center line of Lowell street, at its intersection with the center line of Belmont avenue; thence west, with the center line of Lowell street, to the center line of Tremont avenue; thence south, with the center line of Tremont avenue, to the south line of Section 9, in Township 15 north, of Range 3 east; thence west, with said section line, to the west line of the east half of the northeast quarter of Section 16, Township 15 north, of Range 3 east; thence south, with said quarter section line seventeen hundred and twenty-seven (1,727) feet, more or less, to the south line of Miller street; thence east, with the south line of Miller street to the center line of Belmont avenue; thence north, with the center line of Belmont avenue, to the center line of Lowell street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Fourteenth Ward: Commencing in the section line dividing Sections three (3) and ten (10) in Township 15 north, Range 3 east, at its intersection with the center line of the right of way of the Indianapolis Union Railway Company, and running thence in a southeasterly direction with the center line of the right of way of the Indianapolis Union Railway Company, to the center line of Morris street; thence west, with the center line of Morris street, to the center line of Harding street; thence south, with the center line of Harding street, to the center line of Lambert street; thence west, with the center line of Lambert street, to the center line of Belmont avenue; thence north, with the center line of Belmont avenue, to the section line dividing Sections 3 and 10 in Township 15 north, Range 3 east; thence east, with the said section line, to the center line of the said right of way of the Indianapolis Union Railway Company, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Fourteenth Ward: Commencing at the intersection of the Indianapolis Union Railway Company's right of way and the Terre Haute & Indianapolis Railroad Company's right of way; thence in an easterly direction in the center line of the Terre Haute & Indianapolis Railroad Company's right of way to the center line of Division street; thence south in the center line of Division street to the center line of Oliver avenue; thence in a westerly

direction in the center line of Oliver avenue to the center line of the Indianapolis Union Railway Company's right of way; thence in a northwesterly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of the Terre Haute & Indianapolis Railroad Company's right of way, the place of beginning.

FIFTEENTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct, Fifteenth Ward: Commencing in the center line of Belmont avenue, at the intersection with the center line of the National road; thence southwestwardly, with the center line of the National road, to its intersection with the north line of Section nine (9), Township fifteen (15) north, Range three (3) east; thence west, along said section line, and along the north line of Section eight (8), Township fifteen (15) north, Range three (3) east, to a point sixteen hundred and nineteen and sixty-four hundredths (1,619.64) feet west of the northeast corner of Section eight (8); thence south, fifty-two and one-half (52.5) degrees east, twelve hundred and fifteen and six-hundredths (1,215.06) feet, to the center of the National road; thence south, sixty-eight and one-quarter (68.25) degrees west, two hundred and eighty-five (285) feet; thence south, eighty-one and six-tenths (81.6) feet; thence south, eighty-four and one-half (84.5) degrees east, three hundred and seventy-nine and five-tenths (379.5) feet; thence south, thirty-five (35) degrees east, nine hundred and thirty-one and six-tenths (931.6) feet, to the west line of Section nine (9), Township fifteen (15) north, Range three (3) east; thence south, with said west line of Section nine (9), to the south line of the right of way of the Terre Haute & Indianapolis Railroad Company; thence in a northeasterly direction, with the south line of said right of way of the Terre Haute & Indianapolis Railroad Company, to the south line of the north one-half ($\frac{1}{2}$) of Section nine (9), Township fifteen (15) north, Range three (3) east; thence east, with said south line, to the center line of Belmont avenue; thence north, with the center line of Belmont avenue, to the center line of the National road, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct, Fifteenth Ward: Beginning in the center line of Washington street and Warman avenue; thence in a northerly direction in the center line of Warman avenue to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Concord street; thence in a northerly direction in the center line of Concord street to the corporation limits on the north; thence in a westerly direction along said corporation limits to the center line of Tibbs avenue; thence in a southerly direction in the center line of Tibbs avenue to the southwest corner of the grounds of the Central Hospital for the Insane; thence in an easterly direction along the south line of the grounds of the Central Hospital for the Insane to the center line of Warman avenue, the place of beginning.

Third Precinct.—All that part of the said city bounded as follows shall be and constitute the Third Precinct, Fifteenth Ward: Beginning at the center line of Washington street and Belmont avenue; thence in a northerly direction in the center line of Belmont avenue to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Concord street; thence in a southerly direction in the center line of Concord street to the center line of Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Warman avenue; thence in a southerly direction in the center line of Warman avenue to the center line of Washington street; thence in an easterly direction

in the center line of Washington street to the center line of Belmont avenue, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct, Fifteenth Ward: Beginning at the center line of Washington street and Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of Maryland street; thence in an easterly direction in the center line of Maryland street to the center line of Harding street; thence in a northerly direction in the center line of Harding street to the center line of Washington street; thence in a westerly direction in the center line of Washington street to the center line of Indianapolis Union Railway Company's right of way; thence in a northerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of the Peoria and Eastern Railway Company's right of way; thence in a northwesterly direction in the center line of the Peoria and Eastern Railway Company's right of way to the center line of Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of Washington street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct, Fifteenth Ward: Beginning at the center line of Michigan street and Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of the Peoria and Eastern Railway Company's right of way; thence in a southeasterly direction in the center line of the Peoria and Eastern Railway Company's right of way to the center line of the Indianapolis Union Railway Company's right of way; thence in a northerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of Miley avenue; thence in a northerly direction in the center line of Miley avenue to the center line of Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of the Indianapolis Union Railway Company's right of way; thence in a northerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Belmont avenue, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct, Fifteenth Ward: Beginning at the center line of Michigan street and the Indianapolis Union Railway Company's right of way; thence in a southerly direction along the center line of the Indianapolis Union Railway Company's right of way to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Miley avenue; thence in a southerly direction in the center line of Miley avenue to the center line of Ohio street; thence in an easterly direction in the center line of Ohio street to the center line of Minkner street; thence in a northerly direction in the center line of Minkner street to the center line of Astor street; thence in an easterly direction in the center line of Astor street to the center line of Decatur street; thence in a northerly direction in the center line of Decatur street to the center line of Webb street; thence in an easterly direction in the center line of Webb street to the center line of White river; thence in a northerly and westerly direction in the center line of White river to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of the Indianapolis Union Railway Company's right of way, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Seventh Precinct, Fifteenth Ward: Beginning at the center line of Ohio street and the Indianapolis Union Railway Company's right of way; thence in a southerly direction in the center line of the Indianapolis Union Railway Company's right of way to the center line of Washington street; thence in an easterly direction in the center line of Washington street to the center line of Greeley street; thence in a northerly direction in the center line of Greeley street to the center line of White river; thence in a northerly and westernly direction in the center line of White river to the center line of Webb street; thence in a westernly direction in the center line of Webb street to the center line of Decatur street; thence in a southerly direction in the center line of Decatur street to the center line of Astor street; thence in a westernly direction in the center line of Astor street to the center line of Minkner street; thence in a southerly direction in the center line of Minkner street to the center line of Ohio street; thence in a westernly direction in the center line of Ohio street to the center line of the Indianapolis Union Railway Company's right of way, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct, Fifteenth Ward: Beginning at the center line of White river and Maryland street produced west in a straight line to the center line of Harding street; thence in a northerly direction in the center line of Harding street to the center line of Washington street; thence in an easterly direction in the center line of Washington street to the center line of Greeley street; thence in a northerly direction in the center line of Greeley street to the center line of White river; thence in an easterly and southerly direction in the center line of White river to the center line of Maryland street, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct, Fifteenth Ward: Commencing at the intersection of the center line of Belmont avenue and the first road west of White river; thence in a southeasterly direction in the center line of the first road west of White river to a point 992.2 feet north of the center line of Tenth street, measured at right angles thereto; thence in an easterly direction and parallel to the north line of Tenth street, to the center line of White river; thence in a south-westerly and southeasterly direction in the center line of White river to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Belmont avenue; thence in a northerly direction in the center line of Belmont avenue to the center line of Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Belmont avenue; thence in a northerly direction in the center line of Belmont avenue to the center line of the first road west of White river, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct, Fifteenth Ward: Beginning at the center line of Tenth street and Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of Michigan street; thence west in the center line of Michigan street to the center line of Tremont street; thence in a northerly direction in the center line of Tremont street to the center line of Calvelage street; thence in an easterly direction in the center line of Calvelage street to the center line of Bismark avenue; thence in a northerly direction in the center line of Bismark avenue to the center line of Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Belmont avenue, the place of beginning.

Eleventh Precinct.—All that part of said city bounded as follows shall be and constitute the Eleventh Precinct, Fifteenth Ward: Beginning at the center line of Tenth street and Bismark avenue; thence in a southerly direction in the center line of Bismark avenue to the center line of Calvelage street; thence in a westerly direction in the center line of Calvelage street to the center line of Tremont street; thence in a southerly direction in the center line of Tremont street to the center line of Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of King avenue; thence in a northerly direction in the center line of King avenue to the center line of Tenth street; thence in an easterly direction in the center line of Tenth street to the center line of Bismark avenue, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct, Fifteenth Ward: Beginning at the center line of King avenue and Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Holmes avenue; thence in a northerly direction in the center line of Holmes avenue to the center line of Walnut street; thence in a westerly direction in the center line of Walnut street to the center line of Warman avenue; thence in a northerly direction in the center line of Warman avenue produced north to the corporation limits on the north; thence in an easterly direction along the north line of said corporation limits to the center line of the first alley east of Tremont street; thence in a southerly direction in the center line of said alley to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of King avenue; thence in a southerly direction in the center line of King avenue to the center line of Michigan street, the place of beginning.

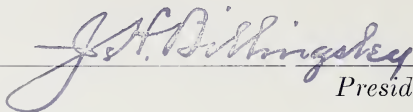
Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct, Fifteenth Ward: Beginning at the center line of Holmes avenue and Michigan street; thence west in the center line of Michigan street to the center line of Concord street; thence in a northerly direction in a straight line produced north from the center line of Concord street to the corporation limits on the north; thence in an easterly direction along the said corporation limits to the west line of the Twelfth Precinct of the Fifteenth Ward; thence in a southerly direction along the said line of said precinct to the center line of Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of Holmes avenue; thence in a southerly direction in the center line of Holmes avenue to the center line of Michigan street, the place of beginning.

Fourteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Precinct of the Fifteenth Ward: Beginning at the center line of the first road west of White river and Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of the first alley west of Tremont street; thence in a northerly direction along the center line of the said alley to the center line of the first alley north of Emerich street; thence in an easterly direction along the said center line of the said alley to the center line of Bismark avenue; thence in a northerly direction in the center line of Bismark avenue to the center line of the first road west of White river; thence in a southeasterly direction in the center line of the first road west of White river to the center line of Belmont avenue, the place of beginning.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Elections.

On motion of Mr. Sourbier the Common Council, at 8 o'clock P. M., adjourned.



President.

Attest:



City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

TUESDAY, June 30, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Tuesday evening, June 30, 1903, at 7:30 o'clock, in special session, pursuant to the following call:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, June 30, 1903.

To the President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 12 of the city charter of the said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 p. m. on June 30, 1903, in the Council Chamber of said city for the purpose of taking action on and passing Special Ordinance No. 1, 1903, an ordinance annexing certain contiguous territory in the city of Indianapolis, Indiana; providing for the publication thereof and fixing a time when the same shall take effect; also for the purpose of taking action and passing General Ordinance No. 35, 1903, An ordinance fixing the boundaries of the voting precincts of Indianapolis, and fixing a time when the same shall take effect.

Very truly yours,

C. A. BOOKWALTER,

Mayor.

Present, James H. Billingsley, President of the Common Council, in the chair, and 15 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wheeler, Wynne and Wysong.

Absent, 5 viz.: Messrs. Kelly, Spray, Wahl, Warweg and Wolsiffer.

Mr. Crall moved that Special Ordinance No. 1, 1903, be taken from hands of Committee on Ordinances, and placed on its passage.

Which motion prevailed.

On motion of Mr. Crall, Special Ordinance No. 1, 1903, was then ordered engrossed, read a third time and passed by the following vote :

Ayes, 13, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 3, viz.: Messrs. Meyer, Moriarity and Shea.

REPORTS FROM STANDING COMMITTEES.

Mr. Sourbier, on behalf of Committee on Elections, to which was referred G. O. No. 35, 1903: An ordinance fixing the boundaries of the voting precincts of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Made the following report:

Indianapolis, June 30, 1903.

Mr. President—We, your Committee on Elections, to whom was referred G. O. No. 35, 1903, have had same under consideration, and recommend that said ordinance do pass.

ED. G. SOURBIER, Chm.,
JNO. H. CRALL,
J. E. BERRY.

Which was read and on motion of Mr. Sourbier, concurred in. Messrs. Wahl, Warweg and Wolsiffer arrived and took their seats.

ORDINANCES ON SECOND READING.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time :

G. O. No. 35, 1903: An ordinance fixing the boundaries of the voting precincts of the City of Indianapolis, Indiana, and fixing the time when the same shall take effect.

Mr. Kelly arrived and took his seat.

On motion of Mr. Holliday, G. O. No. 35, 1903, was then ordered engrossed, read a third time and passed by the following vote :

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 1, viz.: Mr. Moriarity.

June 30, 1903.]

CITY OF INDIANAPOLIS, IND.

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On motion of Mr. Berry, the Common Council, at 8:20 o'clock, p. m., adjourned.

J. H. Billingsley

President.

ATTEST:

Charles N. Elliott

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, July 6, 1903.

The Common Council of the city of Indianapolis met in the Council Chamber, Monday evening, July 6, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 19 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wolsiffer, Wynne and Wysong.

Absent, 1, viz: Mr. Wheeler.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, June 17, 1903.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen—I have this day signed and approved the following ordinance:

App. O. No. 12, 1903, An ordinance appropriating the sum of five thousand dollars (\$5,000) for the Department of Public Health and Charities and fixing a time when the same shall take effect.

Respectfully,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

INDIANAPOLIS, July 1, 1903.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 35, 1903, An ordinance fixing the boundaries of the voting precincts of the city of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Special Ordinance No. 1, 1903, An ordinance annexing certain contiguous territory to the city of Indianapolis, Indiana, providing for the publication thereof, and fixing a time when the same shall take effect.

Respectfully,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

Mr. Wheeler arrived and took his seat.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

FINANCE DEPARTMENT,

Office of the City Comptroller.

INDIANAPOLIS, July 6, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith present communication from the Department of Public Works, requesting the transfer of the sum of \$1,250 from the "Sprinkling Unimproved Streets" account to the "Brightwood Water Works" account.

I recommend that an ordinance be passed making the transfer asked for.

Respectfully,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, July 6, 1903.

Hon. George T. Breunig, City Comptroller, Indianapolis, Indiana:

Dear Sir—You are hereby requested to recommend the transfer of the sum of twelve hundred and fifty dollars (\$1,250) from the "Sprinkling Unimproved Streets" fund to the "Brightwood Water Works" fund.

This action is made necessary by reason of repairs made to building machinery, the purchase of new machinery, and the increase of fuel bills due to failure of gas.

Respectfully,

HAROLD C. MEGREW,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, July 6, 1903.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen—We transmit herewith for your consideration and action thereon a certain contract this day made and entered into by and between the Aldag & Coonse Co. and the city of Indianapolis, by and through its Board of Public Works, granting said Aldag & Coonse Co. the right to construct and maintain a switch or sidetrack across the first alley south of Moore avenue, the first alley east of LaSalle street and across Olney street in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr. Eppert, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 32, 1903: An ordinance approving a certain contract granting William F. Gansberg right to lay and maintain a switch or sidetrack across Ringgold avenue, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, July 6, 1903.

Mr. President—Your Committee on Railroads, to whom was referred G. O. No. 32, have had the same under consideration and recommend that same do pass.

FRED. W. EPPERT,
B. F. WYSONG,
W. H. WHEELER,
ED. G. SOURBIER.

Which was read and, on motion of Mr. Eppert, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 33, 1903: An ordinance approving a certain contract granting Schnull & Co. the right to lay and maintain a switch or sidetrack across Chesapeake street and in and along Missouri street, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, July 6, 1903.

Mr. President—Your Committee on Railroads, to whom was referred G. O. No. 33, have had the same under consideration and recommend that same do pass.

FRED. W. EPPERT,
B. F. WYSONG,
W. H. WHEELER,
ED. G. SOURBIER.

Which was read and, on motion of Mr. Eppert, concurred in.

On motion of Mr. Crall, Committee on Railroads was ordered to submit a report on G. O. No. 21, 1903, at next regular meeting of Council.

REPORT FROM COMMITTEE ON INVESTIGATION AND IMPEACHMENT.

Under this order of business Mr. Wynne, on behalf of the majority Committee on Investigation and Impeachment, to which was referred charges against the members of the Board of Public Works and Edwin D. Logsdon.

Made the following report:

INDIANAPOLIS, July 6, 1903.

Mr. President—Your Committee on Investigation and Impeachment, to whom has been referred charges against integrity of the Board of Public Works and Edwin D. Logsdon, beg leave to report that they have given same careful attention and submit the following: The charges as above stated were printed in the Indianapolis News under date of April 1, 1903.

Under date of April 4, 1903, the Board of Public Works passed a resolution calling for an investigation of the charges preferred. The resolution passed by the Board is as follows:

"Whereas, Certain charges have been publicly made in this city reflecting upon the official conduct and integrity of the members of this Board, and especially upon Edwin D. Logsdon, in regard to the letting of certain contracts by this Board, the truth of which charges each member of the Board, for himself, hereby expressly and unqualifiedly denies; and

"Whereas, It is the desire of each member of this Board that a full and complete investigation of all such charges be at once made; now be it

"Resolved, That a copy of this resolution be transmitted to the Hon. Chas. A. Bookwalter, Mayor of the city of Indianapolis, with the request that he might make or cause to be made a thorough investigation of any and all charges reflecting upon this Board or any member thereof in such manner as he may deem best."

Under date of April 6, 1903, this Council received the communication from the Mayor containing the above resolution of the Board of Public Works requesting an investigation. The Council immediately passed a resolution approving the recommendation of the Mayor and instructing the Committee on Investigation and Impeachment to take immediate steps to investigate.

Under date of April 10, 1903, an ordinance was passed in the Council authorizing the use of \$500 for the purpose of defraying the expense of

the investigation as requested by the Department of Public Works, and said investigation was immediately instituted.

At the first meeting of the committee it was decided that as the Indianapolis News and Citizens' League seemed to have a great deal of information upon the matter under investigation that they should be requested to assist the committee in getting at the truth, and the chairman of the committee was authorized to request their assistance. A letter was written to the Indianapolis News as follows:

INDIANAPOLIS, April 11, 1903.

The Indianapolis News, Indianapolis, Ind., Mr. C. R. Williams:

Dear Sir—Desiring to have an absolutely fair and straightforward investigation of the charges made against Mr. Edwin D. Logsdon, and one that will meet with the approval of the citizens of Indianapolis, the Investigation and Impeachment Committee will be greatly obliged if you could assist in this matter by suggesting to the committee the names of six attorneys from which to choose one to conduct the investigation and to assist the committee. If you could send us this list today it would facilitate matters greatly.

Very truly,

INVESTIGATION AND IMPEACHMENT COMMITTEE.

This letter was presented to Mr. C. R. Williams of the Indianapolis News, by the chairman of your committee, who at the same time verbally requested of Mr. Williams his assistance in any way that would be of value.

The Indianapolis News did not reply by letter, but Mr. Williams stated to the chairman of your committee that the Indianapolis News would not assist the committee in any way, as they did not want to be placed in the position of a prosecutor or persecutor of the administration or of Mr. Edwin D. Logsdon. Mr. Williams stated that the News management would simply print in the columns of their paper such information as came from the investigation from time to time, but would have nothing further to do with it.

A letter was written to the Citizens' League as follows:

INDIANAPOLIS, April 11, 1903.

Mr. Augustus L. Mason, Citizens' League, City:

Dear Sir—On behalf of the Committee on Investigation and Impeachment I respectfully request that you supply us with the names of six attorneys from which to choose one to assist the committee in the matter of the trial of Mr. Edwin D. Logsdon, on the charges preferred against him.

Very truly,

INVESTIGATION AND IMPEACHMENT COMMITTEE.

To which they replied:

INDIANAPOLIS, April 13, 1903.

T. A. Wynne, Chairman Council Committee on Investigation and Impeachment, 410 E. Walnut Street, City:

Dear Sir—We acknowledge your favor of April 11, on behalf of the Council Committee of Investigation and Impeachment. While the letter is addressed to A. L. Mason, we learn from you by telephone that it was intended for the Citizens' League. We note your courteous request to supply you with the names of six attorneys from whom you offer "to choose one to assist the committee in the matter of the trial of Mr. E. D. Logsdon, on the charges preferred against him." We think proper to decline to comply with your suggestion for certain reasons, among others, these:

1. The Citizens' League has been making an inquiry into the affairs of the present municipal administration, with a view to determining

whether or not Mayor Bookwalter and other officials should be re-elected. Our object is quite different from that of your investigation under the city charter, which we suppose is to determine whether, in your judgment, Mr. Logsdon should be impeached by the Council. As Mayor Bookwalter has the power to remove Mr. Logsdon, and has not done so, it is evident that in his judgment there is no just ground for removal. Should your committee agree with the Mayor, it would dispose of the question which you have before you, but not of the question as to whether Mr. Bookwalter should, for the best interests of this city, be re-elected Mayor. Our work and yours, therefore, can not and ought not be combined.

2. It is true that the League has been making and is still continuing an investigation of the Board of Works and its conduct of affairs, the results of which we expect to lay before the people at the proper time. But this investigation has not been complete. Certain information furnished the League also reached the papers of the city from sources other than the League, but we are in the midst of our inquiry and do not desire at this stage to be put in the position of prosecutor.

3. The names of all witnesses known to the League concerning statements by Kennington have been published by the press, so that we are not in a position to give your committee any information on this subject not already within its reach. We will, however, give careful consideration to the facts elicited by you in your investigation bearing upon the general inquiry in which the League is engaged.

Very truly,

THOS. C. DAY,
WM. FORTUNE,
FRANCIS HENRY GAVISK,
THEODORE E. GRIFFITH,
GEO. EDWIN HUNT,
AUGUSTUS L. MASON,
LUCIUS B. SWIFT,
Executive Committee.

The committee, therefore, with the knowledge that they were to proceed in the investigation without the assistance of the Indianapolis News and Citizens' League, proceeded to procure an attorney, which they did in the person of Mr. James W. Noel, and the investigation was commenced.

In canvassing the methods to be employed in taking evidence from witnesses to be subpoenaed, Mr. Noel declared our position to be that of the grand jury, and that hearsay as well as direct testimony should be publicly given, the committee assenting to this proposition without the knowledge that in the grand jury investigation all testimony taken of any kind should be strictly behind closed doors, and each member of the committee as well as all persons testifying before the committee be sworn to secrecy.

Mr. Noel was instructed by the committee to make full and free examination into the charges preferred, but was especially instructed to maintain a position of absolute neutrality between the Indianapolis News, Citizens' League and Mr. Edwin D. Logsdon. He was told that he was not to assume the position of a prosecutor, but that we desired obtaining the truth in regard to Mr. Logsdon's guilt or innocence, and also as to whether or not Mr. Logsdon or the Board of Public Works had been falsely accused by either the Indianapolis News or the Citizens' League.

He was ordered to subpoena the officers and prominent members of the Citizens' League as well as the officers and the staff of the News, they to be examined along with any other witnesses that could be found

to throw any light upon the subject. Mr. Noel accepted the employment under these conditions, and as the committee had absolute confidence in him a great number of subpoenas were signed in blank by the chairman of the committee, Mr. Noel filling in the names of the people whom he desired to examine before the committee.

The committee never knew who were to be examined in the case, leaving this entirely with their attorney, expecting him to pursue the inquiry absolutely along the line of the charges. At no time was he given permission or authorized to take up matters other than those involved in the charges preferred, which were in connection with the letting of the street sprinkling and sweeping contracts.

As the investigation proceeded, Mr. Noel made frequent statements to the committee that he had been unable to secure any evidence, showing that Mr. Logsdon had been dishonest in any way and that so far as he could learn Mr. Logsdon was an honest man. He also stated a number of times to the committee that if there was an honest man in the employ of the administration, that man was Mr. Logsdon, and at the meeting of the committee on the morning of May 26, 1903, in the office of Mr. T. A. Wynne, before the entire committee, Mr. Noel stated that Mr. Logsdon was honest and as straight as a string, showing that up to that time he had not the slightest evidence of guilt against Mr. Logsdon.

An examination of the prices paid for the street sweeping by the city shows that it is being done now for less money than has ever been paid before with the exception of one year, that of 1898, when the price paid was $1\frac{1}{4}$ cents less per great square than is now being paid. The price ranging from 46 cents to 50 cents in 1892 down to 16 cents in 1902.

A comparison of the prices paid for sprinkling for the past ten years reveals the fact that the city is now getting its sprinkling for less money than at any time in its history, with the exception of the year 1902, when the prices paid were \$1 less per great square per season, but did not include Sunday sprinkling, which is included this year. Heretofore the prices have ranged from \$20.60 per great square to \$45 and \$50. The present price being \$18.70 for two sprinklings and \$19.70 for three.

The committee, consisting of Thomas A. Wynne, Fred. W. Eppert and Michael J. Shea, selected James W. Noel as attorney to direct and assist their investigations.

Mr. Noel, under oath, stated that he used every possible effort to obtain evidence, and submitted all the evidence he could procure upon the questions referred to in the above resolution to the committee.

Mr. Noel joined with Hilton U. Brown and Dr. George E. Hunt in employing a detective (one Arthur Stahl) to come to Indianapolis and, according to their theory of the matter, "ferret out public crime." This effort, with very slight delay, led to an attempt to cause Mr. Edwin D. Logsdon to commit (1) a dishonorable and character destroying act or (2) a crime.

Mr. Logsdon promptly secured the arrest of the detective, and then made an affidavit accusing him of conspiracy with Noel, Hunt and others "for the felonious purpose of corruptly promising and offering to the affiant money."

The trial of the detective before the police court was most bitterly contested by the best criminal lawyers in Indiana, and resulted in the detective being bound over to the grand jury.

The grand jury indicted Arthur Stahl, detective; James W. Noel, attorney; Geo. E. Hunt, secretary of the Citizens' League, and Hilton U. Brown, business manager of the Indianapolis News, for conspiring to bribe Edwin D. Logsdon.

The committee presumes that the Criminal (and possibly the Supreme Court) will pass on the sufficiency of the indictment and guilt or innocence of the parties.

Pending the trial in the police court and the action of the grand jury, as above stated, your committee removed Mr. Noel from the position of attorney because he had, without the consent or knowledge of the committee, gone into matters beyond the scope of this investigation, both in visiting St. Louis and in assisting in employing a detective from that city in an attempt to discover matters not referred to in the resolution under which this committee was acting.

At the time of Mr. Noel's dismissal your committee had held thirteen meetings (from April 23, 1903, to May 21, 1903); it had heard the evidence of twenty-eight witnesses. Through the public press it had extended every possible invitation to every one to testify to any material facts.

The trial of Arthur Stahl, with its exciting battle of "legal giants," had fixed and held the attention of the people of this city—private conversation, political policy, and the public press had done their utmost to magnify this examination.

There was no excuse for any intelligent man being ignorant of the questions under consideration by your committee. There was no excuse for any citizen, good or bad, who had any knowledge concerning the letting of the sweeping and sprinkling contracts or the corrupt conduct of the Board of Public Works in relation thereto, withholding facts from the committee.

Such a withholding of material facts on the part of any citizen, entitled to be called good, would be so unworthy and dishonorable, that your committee does not believe that any such knowledge existed.

On June 27, 1903, without any solicitation from him, the committee sent to William Bosson the following letter:

June 27, 1903.

Mr. Wm. Bosson, Indianapolis:

Dear Sir—In resuming the investigation of the street sweeping and sprinkling charges against the Board of Public Works, the committee instructions are to resume at once along the line of charges preferred, no hearsay evidence being admitted. The line to be followed will be strictly that established by regular court proceedings and no testimony will be taken except as above stated on the sweeping and sprinkling charges.

The committee also wishes to maintain a position of absolute neutrality as between the Indianapolis News, the Citizens' League, Mr. Logsdon and the Board of Public Works, in order to be absolutely fair and unbiased.

We wish this matter to be closed next week and desire you to get to work at the earliest possible moment.

Very truly,

INVESTIGATION AND IMPEACHMENT COMMITTEE,

T. A. Wynne, Chairman.

Mr. Bosson accepted the employment. On July 1, 1903, this committee resumed its sessions. It had again invited through the public press any citizen having knowledge of facts to testify. Not a single citizen came forward voluntarily to testify. By request, in the form of a summons, about seventeen witnesses were examined. Among these witnesses were James W. Noel, formerly attorney for the committee; Hilton U. Brown, business manager for the Indianapolis News; Geo. E. Hunt, secretary of the Citizens' League; L. B. Swift and T. E. Griffith, prominent members of the executive committee of the Citizens' League. Not one of the witnesses was able to throw any light upon the matters

under investigation, nor could any of these gentlemen name any person who had any knowledge of facts material in any degree.

It is true that Mr. Noel named certain parties—already upon the list of witnesses—and also Mr. Conrad Rust and Mr. Diller. Mr. Noel stated that these gentlemen might give the name of the writer of a letter supposed to have been shown to Mr. Fuehring by Mr. Kennington. Both denied any knowledge of such fact.

Every stockholder and officer of the Marion County Construction Co. was examined. Each and every one denied that any offer or inducement of any kind had been made either in the letting or performance of sweeping contract.

It was fully proved that neither Mr. Logsdon nor any member of the Board of Public Works knew who were stockholders in the construction company at or before the bidding, nor did they know until after the charges were made that H. B. Gates, Will Gates and Floyd Woods were stockholders. Either the members of the Board of Public Works and each of the stockholders of the Marion County Construction Co. are perjurers—a conclusion which is entirely unwarranted—or there was no corrupt practice of any kind in regard to the sweeping contract. Upon the sprinkling contract no new evidence was obtained.

The opinions (under oath) of those who are unfriendly, hostile, and interested in destroying the reputation of a man are liable to reflect the worst that can be said of his character.

On May 30, 1903, Dr. Geo. E. Hunt, secretary of the Citizens' League, was asked by Mr. H. N. Spann:

Q. "So you and Noel and Brown entered in this scheme, believing there was no guilt on Logsdon's shoulders; that he was straight and you could not convict him?"

A. "Yes, sir."

Mr. James W. Noel was asked on July 1, 1903: "Did you not testify in the Stahl trial as follows:

Q. "I want what you said about Mr. Logsdon's honesty and that you had no evidence against him."

A. "In answer to a question by Mr. Ensley in regard to the sprinkling investigations, I said to him in substance this: Of course Mr. Kennington and Mr. Logsdon were the parties to the corrupt transactions if there were any. Mr. Kennington denies that there were any corrupt transactions, and Mr. Logsdon denies it, and no one else seems to know anything about it."

We agree with the sworn opinions as stated by the gentlemen named.

The statements of Fuehring, Rust and others that Kennington offered them certain sprinkling districts if they would pay 8 per cent. to Logsdon for campaign funds are flatly contradicted by Kennington, who denies that Logsdon's name was mentioned, and declares that the 8 per cent. was for himself. The fact that no one of these men sought Mr. Logsdon to verify Kennington's statement or denounced Kennington until after the contract was let, and the further fact that Mr. Furnas offered Mr. Seibert a royalty of 1 cent per great square for his contract shows that they did not believe that Mr. Logsdon was guilty of improper conduct.

Mr. Logsdon without delay demanded this investigation, and promptly sued the Indianapolis News for libel in the sum of \$50,000.

This great paper, with its corps of active and intelligent editors, managers and reporters, men as familiar with all acts in this city, both good and evil, as can be those who are not active participators, this paper priding itself on its ability to discover everything, has since the middle of April used every means in its power to discover any facts prejudicial to the character and reflecting upon the integrity of Edwin D. Logsdon.

If it has discovered any such facts it has successfully concealed its knowledge.

The animus of the paper has been such that we do not hesitate to say that it would gladly have published anything reflecting on Mr. Logsdon as an individual, as a member of the Board of Public Works, or as chairman of the Republican City Committee.

The Citizens' League and the citizens of every type, good, bad and mixed, have either failed to discover that an investigation has been in progress, or they do not know anything against Mr. Logsdon or the Board of Public Works as to the sweeping and sprinkling contracts, or knowing, they do not come forward and testify.

Out of all the citizens of this great city not one has offered to testify to his knowledge of any dishonorable, corrupt, or criminal act committed by Mr. Logsdon or his associate members of the Board of Public Works.

After a most malignant, malicious, dishonorable and possibly criminal effort to destroy his character, after a self-demanded investigation, after a most rigorous search for evidence by the Citizens' League (supposed to have several thousand members), no word of evidence has come before this committee reflecting in the least on Mr. Logsdon. The other members of the Board of Public Works have not been attacked.

We report that, after a most thorough investigation, an examination of all the testimony offered shows every act of Mr. Logsdon to have been honest, upright and for the best interests of the city of Indianapolis.

T. A. WYNNE,
FRED. W. EPERT.

Which was read.

Mr. Shea, on behalf of the minority Committee on Investigation and Impeachment, to which was referred charges against the members of the Board of Public Works and Edwin D. Logsdon.

Made the following report :

INDIANAPOLIS, July 6, 1903.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen—The undersigned, a member of the Committee on Investigation and Impeachment, having under consideration and investigation the conduct of Edwin D. Logsdon, a member of the Board of Public Works of said city, submits the following minority report on said proceedings, that is to say :

(a) Mr. Logsdon and the Board of Public Works have been guilty of a violation of the charter, in neglecting and refusing to adopt rules for the conduct of the business of said department.

(b) Said Board (including Logsdon) has held secret meetings at which, although important business was transacted, no minutes were kept and from which the clerk of the Board was absent. In such cases the minutes have been handed to the clerk after the meeting, and therefore there is not accurate and trustworthy record of said Board's meeting and proceedings.

(c) Political friends of said Board of Public Works have been favored with contracts awarded by said Board and have not been subjected to proper inspection in the performance of said work.

The work of the Marion County Construction Company has been grossly bad, yet it drew all the appropriation. Said company was paid \$166 for work which was performed by a sprinkling contractor. The sprinkling contractor was also paid for same work. Subsequently this money was refunded to the city.

(d) Public charges were made to the effect that Mr. Logsdon had required the sweeping contractor to pay 8 or 10 per cent. of the contract into a Republican campaign fund. Evidence shows that Mr. Kennington (contractor) told other contractors (to whom he proposed to turn over part of the contract) that they would have to pay him this per centum for Logsdon. Even Mr. Kennington admits he made this statement. The only difference in Kennington's testimony and other contractors is that Kennington claims the money was for himself. Yet even in the face of the public charges of corruption we see Kennington favored by said Board and awarded the sprinkling contract. Beyond any question or doubt whatever there was a rake-off for some fund.

(e) The evidence shows that by reason of conduct of said Board, other contractors were conclusively convinced that favoritism existed and that contracts would be awarded only to said Board's favorite; by reason thereof other contractors refused to bid for work—the result shows that work was awarded to Kennington. In the original bid, Mr. Newby, who underbid Kennington, was given to understand that he (Newby) would make no money out of the contract. Newby never agreed to contribute to any campaign fund. If the contract had been awarded to Newby for three years instead of Kennington the city would have saved \$7,500 per year, or for the whole term of three years \$22,500.

(f) The resolution adopted by said Board of Public Works praying an investigation in part is as follows:

"Resolved, That a copy of this resolution be transmitted to the Hon. Charles A. Bookwalter, Mayor of the city of Indianapolis, with a request that he immediately make or cause to be made a thorough investigation of any or all charges reflecting upon this Board or any member thereof, in such public manner as he may deem best."

In the face of this resolution and the scope thereof, the counsel employed by your committee was summarily discharged because it was claimed he went beyond his instructions. Instructions from whom? Was it the same potent power that rejected competent evidence and made our investigation a farce and travesty? The unlawful or corrupt relations existing between any member of the Board and gamblers or other wrong doers, was germane and highly important to the issue. Your committee did not hesitate to go into the policy and conduct of former administrations in that particular, thus showing the relevancy of such matters. If it was competent to go into the past, then why was it not competent to turn the wholesome rays of investigation upon the present—more especially since this investigation was sought by Mr. Logsdon? This pertinent inquiry may be answered by asking why the committee's counsel was discharged. Possibly he knew too much. At any rate pertinent information was declined and suppressed. The new counsel, instead of going into the facts, hurriedly brings the proceedings to a close, for fear, evidently, that some of the corruption charged might be disclosed.

Therefore I report that the Board of Public Works has been inefficient; that it has wilfully violated the city charter; that it has been guilty of favoritism in awarding contracts to political friends; that it has unlawfully directed money to be paid to persons not entitled thereto; that it did favor contractor Kennington and made it possible for him to contribute a per centum to a campaign fund.

I recommend that said Board of Public Works be impeached for the reasons herein given, and for its violation of the city charter.

M. J. SHEA

Which was read.

Mr. Shea moved that the minority report be substituted for the majority report

Mr. Wynne moved to lay Mr. Shea's motion on the table.

Which motion carried by the following vote :

Ayes, 13, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Spray, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

Mr. Wynne moved that the majority vote be concurred in.

Which motion carried by the following vote :

Ayes, 13, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Spray, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Wahl, Warweg and Wolsiffer.

REPORTS FROM SELECT COMMITTEES.

Mr. Negley, on behalf of majority of Special Committee, appointed to investigate the affairs and accounts of the city clerk's office.

Made the following report :

July 6, 1903.

Mr. President—We, your Special Committee appointed to investigate the affairs and accounts of the City Clerk's office, respectfully beg leave to report as follows, to wit:

Your committee, immediately after its appointment, visited the office of the City Clerk and inspected the books, dockets and accounts of the city's business as therein kept, and from such investigation was forced to conclude that such an examination as was required and expected, and as the public was entitled to, could not be intelligently and accurately made by the committee alone, for the reason that no member of the committee is an expert bookkeeper or accountant.

The committee thereupon reported that conclusion back to the Common Council and suggested that it be authorized to employ such an expert accountant as might be competent to make an accurate and reliable investigation of the books and dockets kept in said Clerk's office, and suggested also that such appropriation of money as might be deemed sufficient be at once made, to the end that such an accountant might be immediately employed.

The Common Council, following such suggestion and the recommendation of the Comptroller, wisely suspended the rules and appropriated the sum of five hundred dollars for such purpose; and upon the same day that such appropriation ordinance was signed by the Mayor your committee entered into a written contract with John W. Coons, a well-known expert accountant of Indianapolis, of which the following is a copy, to wit:

"INDIANAPOLIS, May 19, 1903.

To the Special Committee of the Common Council, appointed to investigate the books of the City Clerk's office:

I will investigate and audit the accounts of the Clerk of the city of Indianapolis with the Police Judge of said city, during the entire term of the present Clerk up to date, and make a complete statement of any irregularities which may be found in said books and accounts, and prepare a final statement of said accounts up to May 20, 1903, for the sum of three hundred dollars (\$300).

And if the Committee shall so direct I will make a like investigation and audit of the accounts of said Clerk's office during the term preceding the present one for a consideration of two hundred dollars (\$200) additional.

JOHN W. COONS,

Accountant.

We, the Special Committee appointed to investigate the books and accounts of the City Clerk's office, hereby accept the above proposition of John W. Coons, and he is hereby directed to proceed with investigation of the books and accounts of said City Clerk's office during the term of Charles N. Elliott.

May 20, 1903.

Executed in duplicate."

H. E. NEGLELEY,

J. H. CRALL,

ANDREW H. WAHL.

And upon the 21st day of May, 1903, the day following the execution of said contract, Mr. Coons entered upon his duties as per contract. Your committee, by its chairman, instructed Mr. Coons that it desired that he refrain from making any partial report, or expressing any opinion as to particular facts or conditions, until his examination had been concluded. Being of the opinion that any expression or conclusion based on a partial examination might prove to be unfair or misleading upon the conclusion of the examination.

When Mr. Coons was about to complete the examination of Clerk Charles N. Elliott's term, the chairman of your committee, in writing, directed him to proceed with the examination and investigation of the records of said City Clerk's office during the term of Clerk John F. Geckler, as per contract; and upon the conclusion of his examination of Mr. Elliott's term he proceeded with his investigation of the records of said office during the term of Mr. Geckler.

Your committee reports that upon the 19th day of June, 1903, Mr. Coons submitted his report in writing to its chairman, who at once called a meeting of the committee to consider the report, and decide as to whether any portion of it should be made public before being reported to the Council.

It being found upon examination that Mr. Coons had omitted to be sworn to the correctness of his report and statements therein, such was done by him upon the day following its submission. And it being the unanimous opinion of the committee that its clear duty required that said report should be first submitted directly to the Council, the same is here submitted in its original form, as follows, to wit:

To the Honorable Chairman and Members of the Special Committee of the Common Council appointed to investigate the books of the office of the City Clerk:

Gentlemen—Having been employed by your honorable committee to investigate and audit the accounts of the Clerk of the city of Indian-

apolis during his fractional term of office beginning October 10, 1901, to May 19, 1903, and such investigation having afterwards been extended to embrace the entire term of ex-Clerk John F. Geckler, I respectfully submit my report of such investigation as follows:

CHARLES N. ELLIOTT, CLERK.

In order to embrace all collections that may have come into the hands of the Clerk during his fractional term of office as above given, I deemed it advisable to check the receipts from the entries of payments on the several judgment dockets. This became advisable for the reason, as I was informed by the Clerk, that on numerous occasions payments had been made to him for which no receipts were issued nor payments stubbed; that the same were entered at once on the dockets and charged on the register of receipts, crediting the respective cases with amounts thus paid.

This manner of receiving payments the Clerk states has been discontinued and receipts are now given for all moneys received and amounts stubbed and from such stubs entered into the register of receipts.

To include all payments received by Mr. Elliott, I began with State Docket No. 63, March 13, 1899, and City Docket No. 40, May 19, 1899, checked the entries of payments entered thereon received by him with the register of receipts and found the following amounts not accounted for, to wit:

State fines	\$31 00
Docket fees	45 00
City attorney fees	1 00
State attorney fees	24 50
Total	\$101 50

And errors in favor of the Clerk:

State fines	\$14 00
Docket fees	21 50
State attorney fees	15 75
Witness fees	1 00
Total	\$52 25

During Mr. Elliott's fractional term of office, to wit, October 10, 1901, to May 19, 1903, being one year, seven months and ten days, he has collected and paid over to the proper officers as per receipts entered on his register of receipts the sum of \$36,197.80. This sum is distributed:

City fines	\$1,254 50
State fines	9,223 25
Docket fees	8,177 75
City attorney fees	3,613 50
State attorney fees	13,408 30
Witness fees	520 50
Total	\$36,197 80

JOHN F. GECKLER, CLERK.

In the examination and investigation of ex-Clerk John F. Geckler's accounts from October 13, 1899, to October 10, 1901, I was enabled to check nearly all collections from the stubs with the register of receipts, except in about one hundred cases where stubs of receipts could not be

found. Such payments were checked from the several dockets. The result is as follows:

Collections during Mr. Geckler's entire term—

City fines	\$644 50
State fines	5,580 25
Docket fees	4,985 00
City attorney fees	2,063 44
State attorney fees	11,544 20
Witness fees	1,043 80

Total \$25,861 19

I find the following collections made by said Clerk Geckler not accounted for:

July 12, 1900. Receipt No. 9027, marked "money in safe," \$3.00.

March 12, 1901. Receipt No. 8578, fines, \$25.00.

July 8, 1901. No. 8909. Stub shows collection of \$11.00; accounted for, \$6.00; not accounted for, \$5.00.

October 10, 1901. State docket, \$69.00, page 2130. State fines, \$4.00; docket fees, \$5.00; prosecuting attorney, \$5.00. Not accounted for, \$14.00. This seems to be the last receipt given by the Clerk.

Attached to this report and made part thereof will be found itemized statement of fines, fees and costs paid by C. N. Elliott, City Clerk, to the proper officers, receipts of which are found on the register of receipts kept in his office. Exhibit marked "A" embraces all payments made by Clerk Elliott to May 15, 1903, amounting to..... \$35,707 05
To which should be added collections from May 15 to 19, inc. 441 50
Amounts not accounted for 101 50

\$36,250 05

Less amount erroneously paid by him..... 52 25

Shows net total collections to May 19, 1903..... \$36,197 80

Exhibit marked "B" and made part of this report shows amounts collected by ex-Clerk John F. Geckler during his entire term of office. Receipts for the several payments as shown in said exhibit are found on the books now in the possession of ex-Judge Daly. Ex-Clerk John F. Geckler's total collections during his term of office amount to \$25,861.19.

It will be noticed that during the fractional term of office, October 10, 1901, to May 19, 1903, being the period of this investigation, Clerk Elliott has collected and paid over as receipts in his office show, \$10,336.61 more in fines, fees and costs than were collected and paid during the entire term of his predecessor. The same ratio of increase in collections during the remainder of Elliott's term would show an excess of collections over Clerk Geckler of more than \$20,000, or fully 80 per cent.

The court dockets during Mr. Geckler's administration show many cases in which judgments were suspended by "W. C. Daly, Judge," after stays were entered thereon. Many cases where only part of the fines or costs were paid the court docket is then marked O. K. This in cases where stays were entered as well as in cases where no stays appear. No more attention to collection of amounts remaining due and unpaid seems to have been paid, as dockets show no further payments. A large number of cases are marked "Judgment suspended."

During the period of Mr. Elliott's term I also find numerous cases that were stayed on which part payments were made and the remainder of fines, fees and costs unpaid—a number of cases stayed on which no payments at all; many cases in which judgment was suspended upon payment of prosecutor's fee.

The increase in amount of collections during Mr. Elliott's fractional term of office over collections during the entire term of his predecessor as set forth in this report, which will show an increase of over 80 per cent., may to a great extent be accounted for by closer collections having been made and by a less number of cases suspended, etc.

Respectfully submitted,

JOHN W. COONS.

STATE OF INDIANA, MARION COUNTY, ss :

Personally appeared before me, the undersigned, a notary public within and for the county and state aforesaid, John W. Coons, who, upon his oath, deposes and says that the foregoing report is correct as he verily believes.

JOHN W. COONS.

Subscribed and sworn to before me this 20th day of June, 1903.

JAMES A. PRITCHARD,

[SEAL]

Notary Public for Marion Co., Ind.

My commission expires March 28, 1906.

EXHIBIT A.

City Fine.	State Fees.	Docket Fees.	City Attorney Fees.	State Attorney Fees.	Witness Fees.	Total Fees and Costs.	Received Amount Opposite My Name.
\$ 22 00	\$ 358 75	\$ 220 00	\$ 73 00	\$ 498 00	\$ 32 00	\$ 1203 75	Oct. 31, 1901
114 00	340 50	218 00	70 00	280 50	2 00	1025 00	Nov. 15, 1901.
4 00	232 50	200 00	45 00	336 50	5 00	823 00	" 30, 1901.
7 00	155 00	123 00	62 50	266 50	13 00	627 00	Dec. 14, 1901.
6 00	246 50	64 00	41 00	275 00	3 00	635 50	" 31, 1901.
46 00	222 00	172 00	134 00	392 00	17 00	983 00	Jany. 31, 1902.
29 00	399 00	185 00	86 50	280 50	12 00	992 00	Feby. 1, 1902.
151 00	163 00	178 00	109 50	257 40	4 00	862 90	" 28, 1902.
.....	204 90	125 00	20 00	248 00	4 00	601 90	March 15, 1902.
55 00	274 00	206 50	124 00	346 00	6 00	1011 50	" 31, 1902.
33 00	340 25	329 50	49 00	503 50	13 00	1268 25	April 15, 1902.
59 00	508 50	248 00	190 00	391 00	39 00	1435 50	" 30, 1902.
34 00	217 50	140 00	123 50	352 50	9 00	876 50	May 13, 1902.
44 00	292 00	174 00	155 50	337 50	10 00	1013 00	" 31, 1902.
66 00	308 50	214 00	99 00	403 40	9 00	1099 90	June 14, 1902.
25 00	193 40	152 50	116 00	326 00	18 00	830 90	" 30, 1902.
37 00	251 00	161 00	55 50	386 50	17 00	908 00	July 15, 1902.
29 00	244 50	211 00	87 00	332 00	23 00	926 50	" 31, 1902.
66 00	340 70	404 50	220 50	719 00	34 00	1784 70	Aug. 30, 1902.
51 00	416 50	239 25	211 00	592 00	24 00	1533 75	Sept. 15, 1902.
24 00	278 00	264 75	103 00	369 00	21 00	1059 75	" 30, 1902.
147 00	813 00	891 00	384 50	1209 75	87 00	3532 25	Nov. 29, 1902.
39 00	487 75	683 25	221 50	1000 00	22 00	2453 50	Dec. 27, 1902.
15 00	164 00	186 00	98 00	386 50	30 00	879 50	Jany. 15, 1903.
4 00	207 50	269 50	65 00	339 50	19 50	905 00	" 31, 1903.
8 00	203 50	260 00	67 00	349 00	9 00	896 50	Feby. 9, 1903.
11 00	106 00	177 00	74 50	283 00	.....	651 50	" 28, 1903.
58 00	67 00	153 50	82 00	247 50	5 00	613 00	March 14, 1903.
16 00	111 50	212 00	82 00	325 50	3 00	750 00	" 31, 1903.
17 00	194 50	264 50	94 50	409 50	7 00	987 00	April 15, 1903.
13 00	163 50	259 00	96 50	368 50	4 00	904 50	" 30, 1903.
4 00	440 50	256 00	.....	39 50	.....	740 00	May 1, 1903.
19 50	93 00	195 50	159 50	407 50	17 00	892 00	" 15, 1903.
\$1253 50	\$9038 75	\$8037 25	\$3600 50	\$13258 55	\$518 50	\$35707 05	
1 00	167 50	117 00	12 00	141 00	3 00	441 50	Col. from May 16 to 19 incl.
.....	31 00	45 00	1 00	24 50	.....	101 50	Errors and Omissions.
\$1254 50	\$9237 25	\$8199 25	\$3613 50	\$13424 05	\$521 50	\$36250 05	
.....	14 00	21 50	.....	15 75	1 00	52 25	Errors in Favor of Elliott.
\$1254 50	\$9223 25	\$8177 75	\$3613 50	\$13408 30	\$520 50	\$36197 80	

EXHIBIT B.

City Fine.	State Fine.	Docket Fees.	City Attorney Fees.	State Attorney Fees.	Witness Fees.	Total Fees and Costs.	Received Amount Opposite My Name.
\$14 00	\$63 00	\$87 50	\$39 00	\$135 50	\$5 00	\$344 00	Oct. 31, 1899.
3 00	101 00	93 50	12 50	176 50	22 00	408 50	Nov. 15, 1899.
11 00	180 00	152 00	36 50	189 50	21 75	590 75	Dec. 4, 1899.
14 00	105 00	125 50	23 00	204 00	29 25	500 75	" 26, 1899.
1 00	92 00	89 00	21 00	221 50	26 00	450 50	" 30, 1899.
7 00	71 50	75 00	26 00	142 50	11 00	333 00	Jany. 11, 1900.
3 00	107 00	53 00	22 00	116 00	25 00	326 00	" 31, 1900.
1 00	70 00	66 00	8 00	173 50	38 00	356 50	Feby. 14, 1900.
6 00	53 00	50 00	31 00	79 50	15 00	234 50	" 28, 1900.
6 00	140 00	123 00	22 00	322 00	20 00	633 00	March 15, 1900.
	73 00	82 00	4 00	154 00	19 00	332 00	" 31, 1900.
3 00	97 00	116 00	38 00	227 00	11 00	492 00	April 14, 1900.
37 00	226 00	223 50	125 00	233 00	30 00	874 50	" 30, 1900.
1 00	225 00	168 00	19 00	221 00	2 00	636 00	May 15, 1900.
14 00	38 00	128 00	69 00	150 00	13 50	412 50	" 30, 1900.
15 00	206 50	180 00	74 00	266 50	40 00	782 00	June 15, 1900.
37 00	357 00	229 00	201 59	303 75	26 50	1154 84	" 30, 1900.
10 00	122 00	158 00	66 50	228 00	34 00	618 50	July 14, 1900.
14 00	184 00	170 25	78 00	252 25	18 50	718 00	" 31, 1900.
14 00	223 00	173 00	35 00	245 00	27 30	717 30	{ Accounted for \$717.00 Aug. 15, 1900.
9 00	157 00	117 25	27 00	255 50	25 00	590 75	Aug. 31, 1900.
4 00	102 00	96 50	10 00	186 50	16 00	415 00	Sept. 15, 1900.
1 00	84 00	57 00	15 00	153 00	9 00	319 00	" 29, 1900.
22 00	112 00	129 00	72 00	209 00	21 50	565 50	Oct. 15, 1900.
128 00	100 00	153 00	58 75	252 00	56 50	748 25	" 31, 1900.
25 00	62 00	93 00	43 25	185 50	37 00	445 75	Nov. 15, 1900.
2 00	49 00	85 00	18 00	184 00	11 00	349 00	" 30, 1900.
15 00	146 00	179 00	106 85	514 50	47 00	1008 35	Dec. 15, 1900.
89 00	117 85	138 50	27 00	468 50	18 00	858 85	" 31, 1900.
4 00	53 25	111 50	15 00	225 00	18 00	426 75	Jany. 15, 1901.
12 00	66 75	79 00	30 50	156 00	35 00	379 25	" 31, 1901.
13 00	101 00	94 50	22 00	341 00	11 00	582 50	Feby. 14, 1901.
1 00	43 00	79 50	17 50	314 50	17 00	472 50	" 28, 1901.
1 00	121 00	89 00	10 00	314 00	7 00	542 00	March 15, 1901.
1 00	111 50	99 00	8 00	276 50	13 00	509 00	" 30, 1901.
15 00	43 00	84 50	44 00	270 00	31 50	488 00	April 15, 1901.
2 00	66 00	66 00	19 50	263 50	8 00	425 00	" 30, 1901.
9 00	585 00	78 00	86 00	368 50	18 00	1144 50	May 15, 1901.
	80 00	125 00	45 00	300 00	15 00	565 00	" 31, 1901.
15 00	59 00	43 50	85 00	226 00	20 00	448 50	June 15, 1901.
21 00	34 00	70 50	93 50	182 00	6 00	407 00	" 29, 1901.
6 00	18 00	52 00	56 50	150 00	5 00	287 50	July 15, 1901.
10 00	18 50	84 50	107 00	523 70	50 00	793 70	" 31, 1901.
2 50	56 00	49 50	31 00	148 00	1 00	288 00	Aug. 15, 1901.
10 00	30 00	30 00	5 00	470 00	13 00	558 00	" 31, 1901.
2 00	200 00	55 00	20 00	203 00	37 00	517 00	Sept. 14, 1901.
3 00	123 00	63 00	16 50	192 50	26 50	424 50	" 30, 1901.
11 00	107 40	40 50	22 50	169 50	36 00	386 90	Oct. 10, 1901.
\$644 50	\$5580 25	\$4985 00	\$2063 44	\$11544 20	\$1043 80	\$25861 19	

And your committee respectfully shows that according to said report, Clerk Charles N. Elliott, upon the completion of said examination, was indebted to the city of Indianapolis, or, to be more technical, to the Police Judge of said city, in the sum of forty-nine dollars and twenty-five cents (\$49.25), after allowing for the sum of fifty-two dollars and twenty-five cents (\$52.25) which he had erroneously overpaid to said Judge. And that Clerk John F. Geckler was indebted to said Judge in the sum of forty-seven dollars (\$47.00).

And your committee finds that since the taking effect of the city charter the keeping of accounts and dockets in said Clerk's office has been in the main alike during all terms. And is of the opinion that the system is practical and sufficient if proper care be used. But your committee is of the opinion that Mr. Elliott has not used such care and diligence as he should have used in the conduct of his office. And your committee makes the following recommendations:

1st. That in the future no money be received by the Clerk for any purpose without the issuance of a receipt and the proper filling out of a stub for such receipt in a book kept for such purpose.

2d. That a printed blank be prepared, to be used in making a statement at the end of each day's business, of the total amount of money received in the office during such day's business. And that at the close of each day's business the amounts represented by the stubs for that day be added, and the total amount set forth in such printed blank, and signed by the Clerk or his deputy in charge; and the same be placed on file in said office where it may be of access for inspection by the Police Judge if he so desire.

We recommend this for the reason that careful and competent officials in the past, as well as at present, have not deemed it expedient or practical to make daily settlements in cash as the strict letter of the law provides.

And we further recommend that such statements be preserved on file in the office of the present Clerk and all succeeding Clerks during their entire terms.

And your committee reports that it has now completed its examination of the records of the City Clerk and Police Judge, as directed by resolution of May 4th, 1903, and has now reported to the Common Council the facts and conditions as it has found them.

Respectfully submitted,
H. E. NEGLEY,
J. H. CRALL.

Which was read.

Mr. Wahl, on behalf of minority of Special Committee, appointed to investigate the affairs and accounts of the city clerk's office.

Made the following report :

INDIANAPOLIS, July 6, 1903.

Mr. President and Members of the Common Council:

Gentlemen—The minority member of your committee charged with the duty of investigating the City Clerk's office begs leave to submit this, his separate report:

I believe the committee should go further into the charges made by the Citizens' League, and that Judge Stubbs, Mr. Elliott and members of the Citizens' League who filed such charges be called before the committee and testify as to what they might know in regard to same.

The facts admitted by Mr. Elliott go to show that his conduct as City Clerk has been greatly neglected. It has been shown that Mr.

Elliott has not made daily settlements with Judge Stubbs as required by the charter. I therefore recommend that the committee be given further time to look into such charges.

Respectfully submitted,

ANDREW H. WAHL.

Which was read.

Mr. Wahl moved that the minority report be substituted for the majority report.

Mr. Negley moved to lay Mr. Wahl's motion on the table.

Which motion carried by the following vote :

Ayes, 12, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 9, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Spray, Wahl, Warweg, and Wolsiffer.

Mr. Eppert moved that the majority report be concurred in, and that the Special Committee be discharged.

Which motion carried by the following vote :

Ayes, 12, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 9, viz.: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Spray, Wahl, Warweg and Wolsiffer.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced :

By Mr. Wynne:

G. O. No. 36, 1903. An ordinance transferring the sum of \$1,250 from a certain fund to a certain fund in and for the Department of Public Works and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the sum of twelve hundred and fifty dollars (\$1,250) be and is hereby transferred from the appropriation heretofore made for the "Sprinkling Unimproved Streets" fund to the "Brightwood Water Works" fund in and for the Department of Public Works.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 37, 1903. An ordinance approving a certain contract granting the Aldag & Coonse Co. the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue; also across the first alley east of LaSalle street; also across Olney street, in the city of Indianapolis, Indiana.

WHEREAS, heretofore, to wit: On the 6th day of July, 1903, the Aldag & Coonse Co. filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, IND., June 9, 1903.

To the Board of Public Works of Indianapolis:

Gentlemen—The undersigned, The Aldag & Coonse Co., owners of certain real estate abutting on the first alley south of Moore avenue, respectfully petition your honorable Board, asking permission to construct and maintain one switch or sidetrack across the first alley south of Moore avenue for the purpose of entering the grounds of the said Aldag & Coonse Co., as follows: The center line of said proposed railroad switch to cross said alley at a point in the center line of said alley the said point being 210 feet east of the center line of LaSalle street across the first alley east of LaSalle street; the center of said proposed railroad switch to cross said alley at a point in the center line of said alley the said point being 120 feet southwest of the center line of Moore avenue; across Olney street, the center line of proposed railroad switch to cross Olney street at a point in the center of Olney street, the said point being 60 feet northeast of the center line of Moore avenue, as shown by the drawing hereto attached, filed herewith and for greater certainty marked "Exhibit A." Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

ALDAG & COONSE COMPANY,

Harvey Coonse, Pres.

NOW THEREFORE, This agreement made and entered into this 6th day of July, 1903, by and between the Aldag & Coonse Co., of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part;

WITNESSETH: That the party of the first part being desirous of securing a right of way for a switch or sidetrack across the first alley south of Moore avenue; also across the first alley east of LaSalle street; also across Olney street in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the order of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch crosses the first alley south of Moore avenue, also the first alley east of LaSalle street, also Olney street, shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving back and forth, and they

shall at no time be stopped or detained thereon in such manner as to obstruct private travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do upon notification in writing, of ten (10) days to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch; from property line to property line, across the first alley south of Moore avenue; also across the first alley east of LaSalle street; also across Olney street, to the entire satisfaction of the second party; and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city of Indianapolis harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against it or said city.

(7) Any violation of this instrument by said party of the first part, or by anyone for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1901, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby grants, gives and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley south of Moore avenue; also across the first alley east of LaSalle street; also across Olney street in the city of Indianapolis, as follows: Across the first alley south of Moore avenue—the center line of said proposed railroad switch to cross said alley at a point in the center line of said alley, the said point being 210 feet east of the center line of LaSalle street. Across the first alley east of LaSalle street—the center line of said proposed railroad switch to cross said alley at a point in the center line of said alley, the said point being 120 feet southwest of the center line of Moore avenue. Across Olney street—the center line of said proposed railroad switch to cross Olney street at a point in center of Olney street, the same being 60 feet northeast of the center line of Moore avenue as shown by the drawing hereto attached, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof We have hereunto set our hands this 6th day of July, 1903.

ALDAG COONSE COMPANY,

By HARVEY COONSE, President.

CITY OF INDIANAPOLIS:

HAROLD C. MEGREW,

C. MAGUIRE,

Board of Public Works, Party of the Second Part.

And, Whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis for its consideration and action, now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Moriarity:

G. O. No. 38, 1903: An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of warehouses, storerooms, tanks or other structures for the receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oils in quantities exceeding one hundred gallons, fixing a penalty for the violation thereof, providing for the publication thereof and fixing a time when the same shall go into effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it shall hereafter be unlawful for any person, partnership or corporation, to locate, build, erect and maintain any warehouse, storeroom, tank, or other structure for the receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oil in quantity exceeding one hundred gallons, within the city of Indianapolis.

Sec. 2. Any person, partnership or corporation who shall violate the provisions of Section one of this ordinance, shall be fined in the sum of one hundred (\$100.00) dollars for the first offense, and the sum of twenty-five (\$25.00) dollars for each additional offense, and every day said ordinance is violated shall constitute a separate offense.

Sec. 3. Any such warehouse, storeroom, tank, or other structure for the receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oil, erected or established in violation of this ordinance shall be deemed a nuisance and may be abated as such; and it is hereby made the duty of the Building Inspector of the city of Indianapolis to abate the same as a nuisance by proper steps.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in the Daily Reporter, a newspaper of general circulation printed and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Property and Improvement.

MISCELLANEOUS BUSINESS.

On motion of Mr. Moriarity, Committee on Public Health was directed to submit a report on G. O. No. 24, 1903, at next regular meeting of Council.

On motion of Mr. Wheeler, G. O. No. 4, 1902, was taken out of hands of Committee on Public Health, and referred to Committee on Public Safety and Comfort.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

- G. O. No. 32, 1903. An ordinance approving a certain contract granting William F. Gansberg right to lay and maintain a switch or sidetrack across Ringgold avenue, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 32, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley, Noes, 1, viz.: Mr. Kelly.

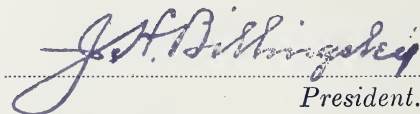
On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

- G. O. No. 33, 1903: An ordinance approving a certain contract granting Schnull & Co. the right to lay and maintain a switch or sidetrack across Chesapeake street and in and along Missouri street, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 33, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Spray, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley. Noes, 3, viz.: Messrs. Kelly, Moriarity and Wolsiffer.

On motion of Mr. Sourbier, the Common Council at 9:30 o'clock p. m., adjourned.


President.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, July 20, 1903.

The Common Council of the city of Indianapolis met in the Council Chamber, Monday evening, July 20, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 16 members, viz.: Messrs. Berry, Crall, Eppert, Meyer, McFarland, Negley, Rhodes, Shea, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 5, viz.: Messrs. Cooper, Holliday, Kelly, Moriarity and Sourbier.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

FINANCE DEPARTMENT,
Office of the City Comptroller.
INDIANAPOLIS, July 20, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith submit a communication from the Department of Public Works, requesting the appropriation of the sum of Ten Thousand Dollars for the purchase of real estate and construction of buildings thereon for the use of the Department of Public Health and Charities in caring for and detaining persons afflicted with smallpox and other contagious diseases.

I recommend that an ordinance be passed making the appropriation as requested.

Respectfully submitted,
GEO. T. BREUNIG,
City Comptroller.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.

INDIANAPOLIS, July 20, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon, a certain contract this day made and entered into by Harry M. Pitsenberger and Edward Orme and the city of Indianapolis, by and through its Board of Public Works, granting said Harry M. Pitsenberger and Edward Orme the right to construct, lay and maintain one switch or sidetrack across Warman avenue, the first alley west of Warman avenue and the first alley north of Bertha street, in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.

INDIANAPOLIS, July 20, 1903.

City Comptroller, City of Indianapolis:

Dear Sir—You are hereby requested to recommend an appropriation of \$10,000 for the use of the Board of Public Works in acquiring a site and the erection of suitable buildings for the treatment of contagious diseases (smallpox).

In July, 1902, the Common Council appropriated \$13,500 for this purpose and \$8,236.84 was expended for site and temporary quarters, leaving a balance of \$5,263.16.

The law of 1903 prohibits the erection or maintenance of a hospital for the care of contagious or infectious diseases within 1500 feet of a hospital, or 500 feet of a private residence, therefore, in as much as the present site is adjacent to the City Hospital grounds and in conflict with the law referred to, the city is required to select a new site and erect new buildings.

Respectfully,

HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 21, 1903: An ordinance to regulate

the running of locomotives and cars, in the city of Indianapolis, to prevent accidents at crossings and to protect human life.

Submitted the following explanation and report :

INDIANAPOLIS, July 20, 1903.

Mr. President:

Your Committee on Railroads, having had G. O. No. 21 under consideration, beg leave to submit the following explanation and report:

Upon full investigation of this ordinance we feel it would be a serious detriment to the commercial interests of the city of Indianapolis, and would seriously delay prompt and efficient movement of merchandise, and especially in the delivery of perishable goods; and the present service to the public would necessarily be greatly impaired.

We believe the railroads could not operate their trains in time of large gatherings and handle large crowds of people successfully and to the satisfaction of the public.

We find it would seriously delay the movement of mail trains, and in some instances would result in mail and express that should be delivered in the morning not reaching business houses until late in the day. A strict enforcement of this ordinance would result in seriously blockading a great many street crossings in the heart of the city to the serious detriment of the traveling public; also, would work a hardship upon the many railroad employees.

We recognize in this ordinance some very good things, but in our opinion the ordinance in its major parts is so unreasonable that it could not be enforced. We feel that a new ordinance can better be introduced than the attempt at amending this, and embodying in such new one the meritorious parts of this, and in this way can nearer and more satisfactorily obtain the results for which this ordinance was intended by its author.

We therefore recommend to this honorable body that this ordinance do not pass.

FRED W. EPPERT,
ED. G. SOURBIER,
B. F. WYSONG,
W. H. WHEELER,
J. WOLSIFFER..

Mr. Eppert moved that the report be concurred in.

Mr. Berry moved to lay Mr. Eppert's motion on the table.

Which motion was lost by the following vote:

Noes, 10, viz.: Messrs. Eppert, McFarland, Negley, Rhodes, Spray, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Ayes, 6, viz.: Messrs. Berry, Crall, Meyer, Shea, Wahl and Warweg.

Whereupon Mr Eppert's original motion was put and passed.

Mr Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 26, 1903: An ordinance approving a certain contract granting the Pennsylvania Co. (operating the Indianapolis & Vincennes Railroad) permission to construct a sidetrack parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reisner street, and all

intervening alleys; said side track to extend from a junction with the present siding about twenty (20) feet east of Miller street southwestwardly about 3,530 feet to a connection with the sidetrack of the Indianapolis Desiccating Company at Seller's Farm, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, June 1, 1903.

Mr. President:

Your Committee on Railroads has had under consideration G. O. No. 26, 1903, and recommend that same do pass.

FRED W. EPPERT,
B. F. WYSONG,
ED. G. SOURBIER,
W. H. WHEELER,
JOHN WOLSIFER.

Which was read and, on motion of Mr. Eppert, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

App. O. No. 15, 1903: An ordinance appropriating the sum of ten thousand dollars for the Department of Public Works, to be used in the purchase of real estate and erection of buildings for smallpox hospital, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that the Department of Public Works be, and is hereby authorized to purchase suitable real estate and to construct thereon suitable building or buildings, to be known as the Smallpox Hospital and Detention Pavilion, and to be used for detaining and treating persons afflicted, or thought to be afflicted, with smallpox or other contagious diseases. All said property to be for the use of the Department of Public Health and Charities in protecting the health of the citizens against smallpox and other contagious diseases, and caring for and treating persons afflicted therewith.

Sec. 2. That to pay the cost of such real estate purchase and constructing such buildings, the sum of ten thousand dollars (\$10,000.00) be and is hereby appropriated out of the funds of the city, or so much thereof as may be necessary for such purpose.

Sec. 3. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Board of Public Works:

G. O. No. 39, 1903: An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain certain switch or sidetrack across Warman avenue, the first alley north of Bertha street and the first alley west of Warman avenue, in the city of Indianapolis.

Whereas, heretofore to-wit, on the first day of July, 1903, Harry M. Pitsenberger and Edward Orme filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

The undersigned, Harry M. Pitsenberger and Edward Orme, owners of certain real estate on Warman avenue, in the city of Indianapolis, petition your honorable Board, asking permission to construct and maintain one switch or sidetrack across Warman avenue, the first alley north of Bertha street and the first alley west of Warman avenue, for the purpose of entering the ground of said Harry M. Pitsenberger and Edward Orme, as follows:

Beginning at a point in the east line of Warman avenue, said point being twenty-five (25) feet north of the north line of the first alley north of Bertha street, thence in a curved line in a southwesterly direction to a point in the west line of Warman avenue, said point being twenty-four (24) feet north of the south line of the first alley north of Bertha street. Also:

Beginning at a point in the west line of Warman avenue, said point being twenty-four (24) feet north of the south line of the first alley north of Bertha street, thence in a curve line in a southwesterly direction to a point in the south line of the first alley north of Bertha street, said point being eighty (80) feet west of the west line of Warman avenue. Also:

Beginning at a point in the east line of the first alley west of Warman avenue, said point being six (6) feet south of the south line of the first alley north of Bertha street, thence in a westerly direction to a point in the west line of the first alley west of Warman avenue, said point being six (6) feet south of the south line of the first alley north of Bertha street.

Your petitioners pray the privileges and authorities herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully,

HARRY M. PITSENBURGER,
EDWARD ORME.

Now therefore, this agreement made and entered into this 20th day of July, 1903, by and between Harry M. Pitsenberger and Edward Orme, of the city of Indianapolis, county of Marion, State of Indiana, parties of the first part, and the city of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth: That the parties of the first part, being desirous of securing a right of way for a switch or sidetrack across Warman avenue and the first alley north of Bertha street and the first alley west of Warman avenue, in the city of Indianapolis, which is more specifically described in

the petition of the said parties hereto attached and made a part of this contract, hereby covenants and agrees and fully bind themselves, their successors, legal representatives and assigns, that in consideration of the grant of the privileges and authorities herein given, they will lay, construct and maintain said switch or sidetrack upon the terms and conditions herein set forth, to-wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles and otherwise, and shall at all times be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereinafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for elevation or depression if said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects Warman avenue, the first alley north of Bertha street, and the first alley west of Warman avenue, shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossings, or to be thereupon except for such time as may be absolutely necessary in moving them back and forth and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said parties of the first part agree, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure to do so, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done, and the parties of the first part hereby release all claim for damages whatsoever that may arise by reason of such removal; and the removing of said sidetrack or switch, or in causing the same to be done, said Board shall in no wise become a trespasser.

(5) The parties of the first part agree to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack shall become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said parties of the first part to promptly repair or remove the same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause to be done, at the expense of said parties of the first part, and for which expense and cost the said parties of the first part shall be liable.

(6) The said parties of the first part hereby bind themselves to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against them or said city.

(7) Any violation of any provisions of this instrument by said parties of the first part, or by anyone for them, or at their instance, or with their permission shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6th, 1891," and in consideration of the things hereinbefore set forth

and upon terms and provisions stipulated, hereby gives, grants and duly vests said parties of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Warman avenue, the first alley north of Bertha street and the first alley west of Warman avenue in the city of Indianapolis, as follows:

The following described line of a railroad switch, beginning at a point in the east line of Warman avenue, the said point being twenty-five (25) feet north of the north line of the first alley north of Bertha street, thence with a curve line in a southwesterly direction to a point in the line of Warman avenue, the said point being twenty-four (24) feet north of the south line of the first alley north of Bertha street. Also:

Beginning at a point in the west line of Warman avenue, the said point being twenty-four (24) feet north of the south line of the first alley north of Bertha street, thence with a curve line in a southwesterly direction to a point in the south line of the first alley north of Bertha street, said point being eighty (80) feet west of the west line of Warman avenue. Also:

Beginning at a point in the east line of the first alley west of Warman avenue, said point being six (6) feet south of the south line of the first alley north of Bertha street, thence in a westerly direction to a point in the west line of the first alley west of Warman avenue, the said point being six (6) feet south of the south line of the first alley north of Bertha street.

In Witness Whereof, we have hereunto set our hands and seals this 20th day of July, 1903.

HARRY M. PITSENBERGER,
EDWARD ORME,

Parties of the first part.

CITY OF INDIANAPOLIS:
HAROLD C. MEGREW,
C. MAGUIRE,

Board of Public Works, Party of the Second Part.

Whereas, said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, Indiana, for its consideration and action, now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

ORDINANCES ON SECOND READING.

On motion of Mr. Berry, the following entitled ordinance was taken up and read a second time:

G. O. No. 21, 1903: An ordinance to regulate the running of locomotives and cars, in the city of Indianapolis, to prevent accidents at crossings and to protect human life.

Mr. Eppert moved that G. O. No. 21, 1903, be stricken from the files, which motion carried by the following vote:

Ayes, 10, viz.: Messrs. Eppert, McFarland, Negley, Rhodes, Spray, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 6, viz.: Messrs. Berry, Crall, Meyer, Shea, Wahl and Warweg.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

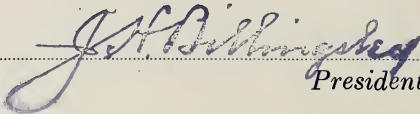
G. O. No. 26, 1903: An ordinance approving a certain contract granting the Pennsylvania Co. (operating the Indianapolis & Vincennes Railroad) permission to construct a sidetrack parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reisner street, and all intervening alleys; said sidetrack to extend from a junction with the present siding about twenty (20) feet east of Miller street southwestwardly about 3,530 feet to a connection with the sidetrack of the Indianapolis Desiccating Company at Sellers Farm, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 26, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 16, viz.: Messrs. Berry, Crall, Eppert, Meyer, McFarland, Negley, Rhodes, Shea, Spray, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wy-song, and President Billingsley.

Noes, none.

On motion of Mr. Berry, the Common Council, at 8:30 o'clock, p. m., adjourned.


.....
President.

ATTEST:


.....

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, August 3, 1903.

The Common Council of the city of Indianapolis met in the Council Chamber, Monday evening, August 3, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 18 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz.: Messrs. Holliday and Spray.

The Clerk proceeded to read the Journal, whereupon Councilman Crall moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis.

INDIANAPOLIS, July 26, 1903.

To the President and Members of the Common Council, City:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 26, 1903: An ordinance approving a certain contract granting the Pennsylvania Co. (operating the Indianapolis & Vincennes Railroad) permission to construct a sidetrack parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reisner street, and all intervening alleys; said sidetrack to extend from a junction with the present siding about twenty (20) feet east of Miller street, southwestwardly about 530 feet to a connection with the sidetrack of the Indianapolis Desiccating Company at Sellars Farm, in the city of Indianapolis, Indiana.

Respectfully,

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 36, 1903. An ordinance transferring the sum of \$1,250 from a certain fund to a certain fund in and for the Department of Public Works and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, July 20, 1903.

Mr. President:—

Your Committee on Finance, to whom has been referred G. O. No. 36, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
B. F. WYSONG,
JNO. H. CRALL,
FRED W. EPPERT,
LEW W. COOPER.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 37, 1903. An ordinance approving a certain contract granting the Aldag & Coonse Co. the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue; also across the first alley east of LaSalle street; also across Olney street, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, Aug. 3, 1903.

Mr. President:—

Your Committee on Railroads, to whom was referred G. O. No. 37, 1903, have had same under consideration, and recommend that same do pass.

FRED W. EPPERT,
W. H. WHEELER,
B. F. WYSONG,
ED. G. SOURBIER,
JNO. WOLSIFFER.

Which was read and, on motion of Mr. Eppert, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Negley:

G. O. No. No. 40, 1903. An ordinance making it unlawful for any person, firm or corporation to run or operate an electric car in or upon the streets of the city of Indianapolis, Indiana, with a lighted arc headlight

on said car, without such headlight being screened in such manner as to reduce the brilliancy of such light fifty per cent.; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that it shall hereafter be unlawful for any person, firm or corporation to run or operate any electric car in or upon any street in said city with a lighted arc headlight on said car, unless such light shall be covered or screened in such manner as to reduce the outward brilliancy of said light by fifty per cent.

SEC. 2. Any person, firm or corporation violating any of the provisions of this ordinance, shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars: and each separate offense hereunder shall be considered a separate violation hereof.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Daily Reporter, a newspaper of general circulation printed in and published in the city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Eppert (by request):

G. O. No. 41, 1903. An ordinance regulating the keeping of chickens within the corporate limits of the city of Indianapolis, providing a penalty and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That it shall be unlawful for the owner of any chickens to suffer, permit or allow the same to run at large or go unconfined within the corporate limits of the city of Indianapolis, between the first day of April and the first day of October of each year.

SEC. 2. Any person violating the provisions of this ordinance, upon conviction thereof, shall be fined in any sum not exceeding twenty-five (\$25) dollars.

SEC. 3. This ordinance shall be in full force and effect after the same has been published once a week for two (2) consecutive weeks in the Daily Reporter, a newspaper of general circulation, printed and published in the city of Indianapolis, Marion county, Indiana.

Which was read a first time and referred to Committee on Public Safety and Comfort.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 36, 1903. An ordinance transferring the sum of \$1,250 from a certain fund to a certain fund in and for the Department of Public Works and fixing the time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 36, 1903, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Cooper, Crall, Eppert, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 2, viz.: Messrs. Kelly and Moriarity.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

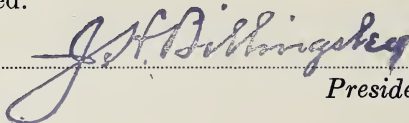
G. O. No. 37, 1903. An ordinance approving a certain contract granting the Aldag & Coonse Co. the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue; also across the first alley east of LaSalle street; also across Olney street, in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 37, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Berry, the Common Council, at 8:20 o'clock, p. m., adjourned.


.....

President.

ATTEST:


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City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
MONDAY, August 10, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, August 10, 1903, at 7:30 o'clock in special session, pursuant to the following call.

EXECUTIVE DEPARTMENT,
City of Indianapolis,
Indianapolis, Ind., August 10th, 1903.

To the President and Members of the Common Council, City:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me, as Mayor of the city of Indianapolis, Indiana, under Section 12 of the City Charter of said city, a special meeting of the Common Council of said city is hereby called, to meet at the hour of 7:30 p. m., on August 10th, 1903, in the Council Chamber of said city, for the purpose of introducing and adopting amendments to General Ordinance No. 35, 1902, General Ordinance No. 9 and Special Ordinance No. 2, 1902.

Very truly yours,
C. A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, James H. Billingsley, President of the Common Council in the chair, and 15 members, viz.: Messrs. Berry, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wynne and Wysong.

Absent, 5, viz.: Messrs. Cooper, Crall, Spray, Wheeler and Wolsiffer.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Sourbier:

Special Ordinance No. 2, 1903: An ordinance to amend Special Ordinance No. 2, 1902, and to correct inaccuracies of description therein.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the first section of said ordinance be amended as follows:

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the boundary lines of the city of Indianapolis

be, and the same are hereby extended so as to include the following described contiguous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the city of Indianapolis, in Marion county, State of Indiana, to wit:

Beginning on the east side of Northwestern avenue at the west line of the Crown Hill Cemetery property, at a point opposite the extension of the south line of the first alley north of Thirty-second street, running west along the south line of the first alley north of and parallel to Thirty-second street to the east line of Clifton street; south along the east line of Clifton street to its intersection with the south line of Thirty-second street; west along the south line of Thirty-second street to the east line of the central canal; thence in a northerly direction following the east line of the central canal to a point one hundred and seventy-two (172) feet north of the north line of Thirty-sixth street; thence east on a line one hundred and seventy-two (172) feet north of and parallel to the north line of Thirty-sixth street, to the center line of Crescent street, thence southeast in the center line of Crescent street to the east side of Northwestern avenue; thence south along the east side of Northwestern avenue to the point of beginning.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time.

Mr. Sourbier moved that the constitutional rules be suspended for the purpose of placing Special Ordinance No. 2, 1903, on its final passage.

Which motion was unanimously adopted.

Thereupon S. O. No. 2, 1903, was read a second time, ordered engrossed, read a third time, and passed by the following vote :

Ayes, 16, viz.: Messrs. Berry, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wynne, Wysong, and President Billingsley.

Noes: None.

By Mr. Sourbier:

G. O. No. 42, 1903: An ordinance to amend General Ordinance No. 35, 1903, and to correct inaccuracies of description therein.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That General Ordinance No. 35, 1903, as to the precincts hereinafter named be amended so as to read as follows:

First Ward, First Precinct.—All that part of said city bounded as follows shall be and constitute the First Precinct, First Ward: Beginning at the intersection of Station street and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of School street; thence in a southerly direction in the center line of School street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Olney street; thence in a northerly direction in the center line of Olney street to the center line of Roosevelt avenue; thence in an easterly direction in the center line of Roosevelt avenue to the center line of Gale street; thence in a northerly direction in the center line of Gale street to the center line of Twenty-fifth street; thence in an easterly direction in the center line of Twenty-fifth street to the center

line of Station street; thence in a northerly direction in the center line of Station street to the center line of Thirtieth street, the place of beginning.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct of the First Ward: Beginning at the intersection of Dearborn street and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Station street; thence in a southerly direction in the center line of Station street to the center line of Twenty-fifth street; thence in a westerly direction in the center line of Twenty-fifth street to the center line of Gale street; thence in a southerly direction in the center line of Gale street to the center line of Roosevelt avenue; thence in a westerly direction in the center line of Roosevelt avenue to the center line of Olney street; thence in a southerly direction in the center line of Olney street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Dearborn street; thence in a northerly direction in the center line of Dearborn street to the center line of Thirtieth street, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct of the First Ward: Beginning at the intersection of Ralston avenue and Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Keystone avenue; thence in a southerly direction in the center line of Keystone avenue to the center line of Bloyd avenue; thence in a westerly direction in the center line of Bloyd avenue to the center line of Catherine street; thence in a southerly direction in the center line of Catherine street to the center line of Langley avenue; thence in a southwesterly westerly and northwesterly direction in the center line of Langley avenue to the center line of Roosevelt avenue; thence in a southwesterly direction in the center line of Roosevelt avenue to the center line of Gertrude avenue; thence north in the center line of Gertrude avenue to the center line of Langley avenue; thence northwest in the center line of Langley avenue to the center line of Hillside avenue; thence in a northwesterly direction in the center line of Hillside avenue to the center line of the Indianapolis Union Railway Company's right-of-way; thence in a westerly direction in the center line of the Indianapolis Union Railway Company's right-of-way to the center line of Ralston avenue; thence in a northerly direction in the center line of Ralston avenue to the center line of Thirtieth street, the place of beginning.

Fifth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fifth Precinct of the First Ward: Beginning at the intersection of Columbia avenue and the Indianapolis Union Railway Company's right-of-way; thence in an easterly direction in the center line of the Indianapolis Union Railway Company's right-of-way to the center line of Hillside avenue; thence in a southwesterly direction in the center line of Hillside avenue and Roosevelt avenue to the center line of Seventeenth street; thence in a westerly direction in the center line of Seventeenth street to the center line of Sheldon street; thence in a northerly direction in the center line of Sheldon street to the center line of Nineteenth street; thence in a westerly direction in the center line of Nineteenth street to the center line of Columbia avenue; thence in a northerly direction in the center line of Columbia avenue to the center line of the Indianapolis Union Railway Company's right-of-way, the place of beginning.

Ninth Precinct.—All that part of the said city bounded as follows shall be and constitute the Ninth Precinct of the First Ward: Beginning at the intersection of Arsenal avenue and Seventeenth street; thence in an easterly direction in the center line of Seventeenth street

to the center line of Roosevelt avenue; thence in a southerly direction in the center line of Roosevelt avenue and Hillside avenue to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Columbia avenue; thence in a northwesterly and northerly direction in the center line of Columbia avenue to the center line of Roosevelt avenue; thence in a northeasterly direction in the center line of Roosevelt avenue to the center line of Arsenal avenue; thence in a northerly direction in the center line of Arsenal avenue to the center line of Seventeenth street, the place of beginning.

Tenth Precinct.—All that part of said city bounded as follows shall be and constitute the Tenth Precinct of the First Ward: Beginning at the intersection of Hillside avenue and Langley avenue; thence southeast in the center line of Langley avenue to the center line of Gertrude avenue; thence south in the center line of Gertrude avenue to the center line of Roosevelt avenue; thence northeast in the center line of Roosevelt avenue to the center line of Langley avenue; thence in a southeasterly, easterly and northeasterly direction in the center line of Langley avenue to the center line of Hazel street; thence in a southerly direction in the center line of Hazel street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Hillside avenue; thence in a northerly direction in the center line of Hillside avenue to a point where the same intersects with Roosevelt avenue; thence continuing in a northerly direction in Roosevelt avenue to a point where the same intersects with Hillside avenue; thence continuing in a northerly direction in the center line of Hillside avenue to the center line of Langley avenue, the place of beginning.

Fifteenth Precinct.—All that part of said city bounded as follows shall be and constitute the Fifteenth Precinct of the First Ward: Beginning at the intersection of Massachusetts avenue and Commerce avenue; thence in a southeasterly direction in the center line of Commerce avenue to the center line of Nowland avenue; thence east in the center line of Nowland avenue to the center line of Larch street; thence in a southwesterly and southerly direction in the center line of Larch street to the center line of Twelfth street; thence in an easterly direction in the center line of Twelfth street to the center line of Jefferson avenue; thence in a southerly direction in the center line of Jefferson avenue to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Newman street; thence in a northerly, northwesterly direction in the center line of Newman street to the center line of Massachusetts avenue; thence in a northeasterly direction in the center line of Massachusetts avenue to the center line of Commerce avenue, the place of beginning.

THIRD WARD.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct of the Third Ward: Beginning at the intersection of Northwestern avenue and Fall Creek; thence in a northeasterly direction in the center line of Fall Creek to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Twenty-first street; thence in a westerly direction in the center line of Twenty-first street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of Eighteenth street; thence in a westerly direction in the center line of Eighteenth street and a line continued west to the center line of the Big Four Railway Company's right-of-way; thence in a northwesterly direction in the center line of the Big Four Railway Company's right-of-way to the center line of North-

western avenue; thence in a northerly and northwesterly direction in the center line of Northwestern avenue to the center line of Fall Creek, the place of beginning.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct of the Third Ward: Beginning at the intersection of Northwestern avenue and the Big Four Railway Company's right-of-way; thence in a southeasterly direction in the center line of the Big Four Railway Company's right-of-way to the center line of Eighteenth street extended west; thence in an easterly direction with said line and in the center line of Eighteenth street to the center line of Senate avenue; thence in a southerly direction in the center line of Senate avenue to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of Northwestern avenue; thence in a northerly direction in the center line of Northwestern avenue to the center line of the Big Four Railway Company's right-of-way, the place of beginning.

Eleventh Precinct.—All that part of the said city bounded as follows shall be and constitute the Eleventh Precinct of the Third Ward: Beginning at the intersection of Northwestern avenue and Sixteenth street; thence in an easterly direction in the center line of Sixteenth street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Thirteenth street; thence in a westerly direction in the center line of Thirteenth street to the center line of West street; thence in a northerly direction in the center line of West street to the center line of Fifteenth street extended west; thence in an easterly direction with said line and in the center line of Fifteenth street to the center line of Northwestern avenue; thence in a northwesterly direction in the center line of Northwestern avenue to the center line of Sixteenth street, to the place of beginning.

FOURTH WARD.

First Precinct.—All that part of the said city bounded as follows shall be and constitute the First Precinct of the Fourth Ward: Beginning at the intersection of Illinois street and Thirty-eighth street; thence in an easterly direction in the center line of Thirty-eighth street to the center line of Delaware street; thence in a southerly direction in the center line of Delaware street to a point one hundred and eighty-four and fifty-nine hundredths (184.59) feet north of the north line of Thirty-fourth street, the present city limits; thence in an easterly direction with said line to the corporation limits on the east; thence in a southerly direction along said corporation limits to the center line of Fall Creek; thence in a southwesterly direction in the center line of Fall Creek to the center line of the first alley west of Talbott avenue; thence in a northerly direction in the center line of the first alley west of Talbott avenue to the center line of Thirtieth street; thence in a westerly direction in the center line of Thirtieth street to the center line of Meridian street; thence in a northerly direction in the center line of Meridian street to the center line of Thirty-second street; thence in a westerly direction in the center line of Thirty-second street to the center line of Illinois street; thence in a northerly direction in the center line of Illinois street to the center line of Thirty-eighth street, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct of the Fourth Ward: Beginning at the intersection of the north corporation limits and Crescent street; thence in a southeasterly direction in the center line of Crescent street to the center line of Thirty-sixth street; thence in a westerly direction in the center line of Thirty-sixth street to the center line of Clifton street; thence in a southerly direction in the center line of Clifton street to the center line of Thirty-fourth street; thence in an easterly direction in the center line of Thirty-fourth street to the center line

of Rader street; thence in a southerly direction in the center line of Rader street to the center line of Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Annette street; thence in a southerly direction in the center line of Annette street to the center line of Eugene street; thence in a westerly direction in the center line of Eugene street to the center line of the canal; thence in a northwesterly direction in the center line of the canal to the center line of Thirtieth street; thence in a westerly direction in the center line of Thirtieth street to the west line of Riverside Park; thence in a northerly and northwesterly direction along the west line of said Riverside Park to the north corporation limits; thence in an easterly direction along the north corporation limits to the center line of Crescent street (except the following described tract of land situate between Thirty-first and Thirty-second street and the canal), the place of beginning.

Sixteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixteenth Precinct of the Fourth Ward: Beginning at the intersection of Fall Creek and Thirteenth street; thence in an easterly direction in the center line of Thirteenth street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of Twelfth street; thence in a westerly direction in the center line of Twelfth street to the center line of Brooks street; thence in a southwesterly direction in the center line of Brooks street to the center line of Wayne street; thence continuing in a northwesterly direction in the center line of Wayne street to the center line of Fall Creek; thence in a northeasterly direction in the center line of Fall Creek to the center line of Thirteenth street, the place of beginning.

Seventeenth Precinct.—All that part of said city bounded as follows shall be and constitute the Seventeenth Precinct of the Fourth Ward: Beginning at the intersection of Fall Creek and Wayne street; thence in a southeasterly direction in the center line of Wayne street to the center line of Brooks street; thence northeast in the center line of Brooks street to the center line of Twelfth street; thence in an easterly direction in the center line of Twelfth street to the center line of West street; thence in a southerly direction in the center line of West street to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Indiana avenue; thence in a northwesterly direction in the center line of Indiana avenue to the center line of Fall Creek; thence in a northwesterly and northerly direction in the center line of Fall Creek to the center line of Wayne street, the place of beginning.

FIFTH WARD.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct of the Fifth Ward: Beginning at the intersection of White River and Michigan street; thence in an easterly direction in the center line of Michigan street to the center line of Mill Race avenue; thence in a southeasterly direction in the center line of Mill Race avenue to the center line of Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Agnes street; thence south in the center line of Agnes street to the center line of New York street; thence in an easterly direction in the center line of New York street to the center line of Blake street; thence in a southerly direction in the center line of Blake street to the center line of Washington avenue; thence in a westerly direction in the center line of Washington avenue to the center line of White River; thence in a northwesterly direction in the center line of White River to the center line of Michigan street, the place of beginning.

NINTH WARD.

Fourteenth Precinct.—All that part of said city bounded as follows shall be and constitute the Fourteenth Precinct of the Ninth Ward: Beginning at the intersection of the Indianapolis Union Railway Company's right-of-way and New York street; thence in an easterly direction in the center line of New York street to the center line of Emerson avenue; thence in a southerly direction in the center line of Emerson avenue to the south corporation limits; thence in a westerly direction along the said south corporation limits to the center line of Temperance avenue; thence in a northerly direction in the center line of Temperance avenue to the center line of English avenue; thence in an easterly direction in the center line of English avenue to the center line of Worcester avenue; thence in a northerly direction in the center line of Worcester avenue to the present city limits; thence east and north with said city limits to the center line of the Brookville road; thence in a southeasterly direction in the center line of the Brookville road to the center line of Bancroft avenue; thence north in the center line of Bancroft avenue to the center line of the Cincinnati, Hamilton & Dayton Railroad Company's right-of-way; thence in a westerly direction in the center line of the Cincinnati, Hamilton & Dayton Railway Company's right-of-way to the Indianapolis Union Railway Company's right-of-way; thence in a northerly direction in the center line of the Indianapolis Union Railway Company's right-of-way to the center line of New York street, the place of beginning.

TENTH WARD.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct of the Tenth Ward: Beginning at the intersection of State avenue and the Cincinnati, Hamilton & Dayton Railway Company's right-of-way; thence in an easterly direction in the center line of the Cincinnati, Hamilton & Dayton Railroad Company's right-of-way to the corporation limits on the east; thence in a southerly direction along said corporation limits to the center line of English avenue; thence in a westerly direction in the center line of English avenue to the center line of Keystone avenue; thence in a southerly direction in the center line of Keystone avenue to the center line of Prospect street; thence in a westerly direction in the center line of Prospect street to the center line of St. Paul street; thence in a northerly direction in the center line of St. Paul street to the center line of the Big Four Railroad Company's right-of-way; thence in a northwesterly direction in the center line of the Big Four Railroad Company's right-of-way to the center line of Fletcher avenue; thence west with the center line of Fletcher avenue to the center line of State avenue; thence in a northerly direction in the center line of State avenue to the center line of the Cincinnati, Hamilton & Dayton Railroad Company's right-of-way, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct of the Tenth Ward: Beginning at the intersection of State avenue and Prospect street; thence in an easterly direction in the center line of Prospect street to the center line of Keystone avenue; thence in a southerly direction in the center line of Keystone avenue to the center line of the Belt Railroad right-of-way; thence in a southwesterly direction with the center line of the Belt Railroad right-of-way to the center line of Minnesota street; thence in a westerly direction in the center line of Minnesota street to the center line of Churchman avenue; thence in a northerly direction in the center line of Churchman avenue to the center line of Orange street; thence in a westerly direction in the center line of Orange street to the center line of State avenue; thence in a northerly direction in the center line of State avenue to the center line of Prospect street, the place of beginning.

TWELFTH WARD.

Tenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Tenth Precinct of the Twelfth Ward: Beginning at the intersection of Kentucky avenue and Merrill street; thence in an easterly direction in the center line of Merrill street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of McCarty street; thence in a westerly direction in the center line of McCarty street and a line extended west to the center line of White River; thence in a northwesterly direction in the center line of White River to the center line of Kentucky avenue; thence in a northeasterly direction in the center line of Kentucky avenue to the center line of Merrill street, the place of beginning.

Eleventh Precinct.—All that part of the city bounded as follows shall be and constitute the Eleventh Precinct of the Twelfth Ward: Beginning at the intersection of McCarty and Meikel streets; thence south in the center line of Meikel street to the center line of Ray street; thence west in the center line of Ray street to the center line of White River; thence in a northwesterly direction in the center line of White River to the center line of McCarty street extended west; thence east with said line and the center line of McCarty street to the center line of Meikel street, the place of beginning.

FOURTEENTH WARD.

First Precinct.—All that part of said city bounded as follows shall be and constitute the First Precinct of the Fourteenth Ward: Beginning at the center line of White River and the north line of section 11, T. 15 N., R. 3 E.; thence in a southerly direction along the center line of White River to the center line of Oliver avenue; thence in a westerly direction in the center line of Oliver avenue to the center line of Division street; thence in a northerly direction in the center line of Division street to the center line of the Terre Haute & Indianapolis Railway Company's right-of-way; thence in a westerly direction in the center line of the Terre Haute & Indianapolis Railway Company's right-of-way to the center line of the Indianapolis Union Railway Company's right-of-way; thence in a northwesterly direction in the center line of the Indianapolis Union Railway Company's right-of-way to the north line of section 10, T. 15 N., R. 3 E.; thence in an easterly direction with the north line of sections 10 and 11, T. 15 N., R. 3 E. to the center line of White River, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct of the Fourteenth Ward: Commencing in the center line of Morris street, at its intersection with the center line of the right-of-way of the Indianapolis Union Railway Company, and running thence in a southeasterly direction with the center line of the right-of-way of the Indianapolis Union Railway Company, to the present city limits; thence south, west, north, west, to the southwest corner of section 15, T. 15 N., R. 3 E.; thence north with said line and the center line of Belmont avenue to the center line of the right-of-way of the Indianapolis & Vincennes Railroad Company; thence north-east with the center line of the right-of-way of the Indianapolis & Vincennes Railroad Company to the center line of Minnesota street; thence west with the center line of Minnesota street to the center line of McLain street; thence north with the center line of McLain street to the center line of Lambert street; thence east with the center line of Lambert street to the center line of Harding street; thence north with the center line of Harding street to the center line of Morris street; thence east with the center line of said Morris street to the center line of the right-of-way of the Indianapolis Union Railway Company, the place of beginning.

Eighth Precinct.—All that part of the said city bounded as follows shall be and constitute the Eighth Precinct of the Fourteenth Ward: Commencing with the center line of Lowell street at its intersection with the center line of Belmont avenue; thence west with the center line of Lowell street to the center line of Tremont avenue; thence south with the center line of Tremont avenue to the south line of section 9, T. 15 N., R. 3 E.; thence west with said section line to the west line of the east half of the northeast quarter of section 16, T. 15 N., R. 3 E.; thence south with said quarter section line one thousand seven and twenty-seven (1,727) feet, more or less, to the south line of Miller street; thence east with the south line of Miller street to the center line of Belmont avenue; thence north with the center line of Belmont avenue to the center line of Lowell street, the place of beginning.

Ninth Precinct.—All that part of said city bounded as follows shall be and constitute the Ninth Precinct of the Fourteenth Ward: Commencing at the north line of section 10, T. 15 N., R. 3 E., at its intersection with the center line of the right-of-way of the Indianapolis Union Railway Company; thence in a southeasterly direction along the center line of the right-of-way of the Indianapolis Union Railway Company, to the center line of Morris street; thence west in the center line of Morris street to the center line of Harding street; thence south in the center line of Harding street to the center line of Lambert street; thence west in the center line of Lambert street to the center line of Belmont avenue; thence north in the center line of Belmont avenue to the northwest corner of section 10, T. 15 N., R. 3 E.; thence east along said section line to the center line of the said right-of-way of the Indianapolis Union Railway Company, the place of beginning.

FIFTEENTH WARD.

Second Precinct.—All that part of the said city bounded as follows shall be and constitute the Second Precinct of the Fifteenth Ward: Beginning in the center line of Washington street and Warman avenue; thence in a northerly direction in the center line of Warman avenue to the center line of Vermont street; thence in a westerly direction in the center line of Vermont street to the center line of Concord street; thence in a northerly direction in the center line of Concord street to the center line of Tenth street; thence east in the center line of Tenth street to the center line of Ketcham street; thence north in the center line of Ketcham street to the corporation limits on the north; thence in a westerly direction along said corporation limits and the center line of Thirteenth street to the center line of Tibbs avenue; thence in a southerly direction in the center line of Tibbs avenue to the southwest corner of the grounds of the Central Hospital for the Insane; thence in an easterly direction along the south line of the grounds of the Central Hospital for the Insane to the center line of Warman avenue, the place of beginning.

Fourth Precinct.—All that part of the said city bounded as follows shall be and constitute the Fourth Precinct of the Fifteenth Ward: Beginning at the northwest corner of section 10, T. 15 N., R. 3 E., which point is the intersection of Belmont avenue and Maryland street; thence east with the north line of section 10, T. 15 N., R. 3 E. and the center line of Maryland street to the center line of Harding street; thence north in the center line of Harding street to the center line of Washington street; thence west in the center line of Washington street to the center line of the Indianapolis Union Railway Company's right-of-way; thence northwest in the center line of the Indianapolis Union Railway Company's right-of-way to the center line of the Peoria & Eastern west railroad; thence northwest in the center line of the right-of-way of the Peoria & Eastern west railroad to the center line of Belmont avenue; thence south in the center line of Belmont avenue to the northwest corner of section 10, T. 15 N., R. 3 E., the place of beginning.

Fifth Precinct.—All that part of the city bounded as follows shall be and constitute the Fifth Precinct of the Fifteenth Ward: Beginning at the center line of Michigan street and Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of the Peoria & Eastern west Railroad Company's right-of-way; thence in a southeasterly direction in the center line of the Peoria & Eastern west Railroad Company's right-of-way to the center line of Miley avenue; thence north in the center line of Miley avenue to the center line of Vermont street; thence east in the center line of Vermont street to the center line of the Indianapolis Union Railway Company's right-of-way; thence north in the center line of the Indianapolis Union Railway Company's right-of-way to the center line of Michigan street; thence west in the center line of Michigan street to the center line of Belmont avenue, the place of beginning.

Sixth Precinct.—All that part of the said city bounded as follows shall be and constitute the Sixth Precinct of the Fifteenth Ward: Beginning at the center line of Michigan street and the Indianapolis Union Railway Company's right-of-way; thence south in the center of the Indianapolis Union Railway Company's right-of-way to the center line of Vermont street; thence west in the center line of Vermont street to the center line of Miley avenue; thence south in the center line of Miley avenue to the center line of the Peoria & Eastern (west) Railway Company's right-of-way; thence southeast in the center line of the Peoria & Eastern (west) Railway Company's right-of-way to the center line of Ohio street; thence east in the center line of Ohio street to the center line of Minkner street; thence north in the center line of Minkner street to the center line of Astor street; thence east in the center line of Astor street to the center line of Wilmot street; thence north in the center line of Wilmot street to the center line of Saulcy street; thence east in the center line of Saulcy street, and the line extended, to the center line of White River; thence northwesterly in the center line of White River to the center line of Michigan street extended east; thence west with said line and the center line of Michigan street to the center line of the Indianapolis Union Railway Company's right-of-way, the place of beginning.

Seventh Precinct.—All that part of the said city bounded as follows shall be and constitute the seventh precinct of the Fifteenth Ward: Beginning at the center line of Ohio street and the Indianapolis Union Railway Company's right-of-way; thence in a southerly direction in the center line of the Indianapolis Union Railway Company's right-of-way to the center line of Washington street; thence in an easterly direction in the center line of Washington street to the center line of Greeley street; thence in a northerly direction in the center line of Greeley street to the center line of White River; thence in a northerly and westerly direction in the center line of White River to the center line of Saulcy street extended east; thence in a westerly direction with said line and in the center line of Saulcy street to the center line of Wilmot street; thence south in the center line of Wilmot street to the center line of Astor street; thence west in the center line of Astor street to the center line of Minkner street; thence in a southerly direction in the center line of Minkner street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of the Indianapolis Union Railway Company's right-of-way, the place of beginning.

Twelfth Precinct.—All that part of the said city bounded as follows shall be and constitute the Twelfth Precinct of the Fifteenth Ward: Beginning at the center line of King avenue and Michigan street; thence in a westerly direction in the center line of Michigan street to the center line of Holmes avenue; thence in a northerly direction in the center line of Holmes avenue to the center line of Walnut street; thence in a westerly direction in the center line of Walnut street to the center line of

Warman avenue; thence in a northerly direction in the center line of Warman avenue to the center line of Calvelage street; thence east in the center line of Calvelage street to the center line of Holmes avenue; thence north in the center line of Holmes avenue to the center line of Tenth street; thence west in the center line of Tenth street to the center line of Warman avenue; thence north in the center line of Warman avenue to the corporation limits on the north; thence in an easterly direction along the north line of said corporation limits to the center line of the first alley west of Tremont street; thence in a southerly direction in the center line of said alley to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of King avenue; thence in a southerly direction in the center line of King avenue to the center line of Michigan street, the place of beginning.

Thirteenth Precinct.—All that part of the said city bounded as follows shall be and constitute the Thirteenth Precinct of the Fifteenth Ward: Beginning at the center line of Holmes avenue and Michigan street; thence west in the center line of Michigan street to the center line of Concord street; thence in a northerly direction in the center line of Concord street to the center line of Tenth street; thence east in the center line of Tenth street to the center line of Ketcham street; thence north in the center line of Ketcham street to the corporation limits on the north; thence in an easterly direction along the said corporation limits to the center line of Warman avenue; thence south in the center line of Warman avenue to the center line of Tenth street; thence east in the center line of Tenth street to the center line of Holmes avenue; thence south in the center line of Holmes avenue to the center line of Calvelage street; thence west in the center line of Calvelage street to the center line of Warman avenue; thence south in the center line of Warman avenue to the center line of Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of Holmes avenue; thence in a southerly direction in the center line of Holmes avenue to the center line of Michigan street, the place of beginning.

Fourteenth Precinct.—All that part of said city bounded as follows shall be and constitute the Fourteenth Precinct of the Fifteenth Ward: Beginning at the center line of the first road west of White River and Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of the first alley west of Tremont street; thence in a northerly direction along the center line of the said alley to the north line of Clarke & Mick's Haughville Park addition; thence in an easterly direction along the said line to the center line of Bismarck avenue; thence in a northerly direction in the center line of Bismarck avenue to the center line of the first road west of White River; thence in a southeasterly direction in the center line of the first road west of White River to the center line of Belmont avenue, the place of beginning.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time.

Mr. Sourbier moved that the constitutional rules be suspended for the purpose of placing G. O. No. 42, 1903, on its final passage.

Which motion was unanimously adopted.

Thereupon G. O. No. 42, 1903, was read a second time, ordered engrossed, read a third time, and passed by the following vote :

Ayes, 16, viz.: Messrs. Berry, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wynne, Wysong, and President Billingsley.

Noes, none.

By Mr. Sourbier:

G. O. No. 43, 1903: An ordinance amending G. O. No. 9, 1903, and to correct inaccuracies of description therein.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That General Ordinance No. 9, 1903, be amended as to the first ward boundaries so as to read as follows:

First Ward.—All that part of said city bounded as follows shall be and constitute the First Ward: Commencing at the intersection of the center line of School street and Thirtieth street; thence in a southerly direction with the east corporation line to the center line of Massachusetts avenue and the right-of-way of the Belt Railroad; thence in a southwesterly direction along the center line of the Belt Railroad right-of-way to the center line of Tenth street; thence in a westerly direction in the center line of Tenth street to the center line of Massachusetts avenue; thence in a southwesterly direction in the center line of Massachusetts avenue to the center line of Cornell avenue; thence in a northerly direction in the center line of Cornell avenue to the center line of Fifteenth street; thence in an easterly direction in the center line of Fifteenth street to the center line of the right-of-way of the L. E. & W. Railroad; thence in a northerly direction in the center line of the right-of-way of the L. E. & W. Railroad to the center line of Twenty-first street (as vacated); thence east with the center line of Twenty-first street until it intersects the center line of the Belt Railroad right-of-way to the center line of Ralston avenue; thence north in the center line of Ralston avenue to the center line of Thirtieth street; thence east in the center line of Thirtieth street to the intersection of the center line of School street and Thirtieth street, the place of beginning.

Sec. 2. That said ordinance as to the boundaries of the Second Ward be amended so as to read as follows:

Second Ward.—All that part of said city bounded as follows shall be and constitute the Second Ward: Commencing at the intersection of the center lines of Thirtieth street and Ralston avenue; thence in a southerly direction in the center line of Ralston avenue to the center line of the Belt Railroad; thence in a westerly direction in the center line of the Belt Railroad to the center line of Twenty-first street; thence west in the center line of Twenty-first street (vacated) to the center line of the L. E. & W. Railroad right-of-way; thence in a southerly direction in the center line of the L. E. & W. Railroad right-of-way to the center line of Fifteenth street; thence in a westerly direction in the center line of Fifteenth street to the center line of Central avenue; thence in a northerly direction in the center line of Central avenue to the center line of Fifteenth street, west; thence in a westerly direction in the center line of Fifteenth street to the center line of Alabama street; thence in a northerly direction in the center line of Alabama street to the center line of Fall Creek; thence in a northeasterly direction in the center line of Fall Creek to the center line of Thirtieth street; thence in an easterly direction in the center line of Thirtieth street to the center line of Ralston avenue, the place of beginning.

Section 3. That said ordinance as to the boundaries of the Fourteenth Ward be amended so as to read as follows:

Fourteenth Ward.—All that part of the said city bounded as follows shall be and constitute the Fourteenth Ward: Beginning at the intersection of the north line of section 11, T. 15 N., R. 3 E., and the center line of White River; thence in a southerly direction with the meanderings of the center line of White River to the center line of the Belt Railroad right-of-way, the same being a point in the corporation line of the said city; thence in a northwesterly direction with the center line of the Belt Railroad to the present city limits; thence south, west, north, to the south line of section 15, T. 15 N., R. 3 E., the same being the center of Harding street; thence west with said line to the southwest corner of said section 15, T. 15 N., R. 3 E.; thence north with said line, the same being the center line of Belmont avenue, to the south line of Miller street, the present city limits; thence west with the south line of Miller street to the west line of the east half of the northeast quarter of section 16, T. 15 N., R. 3 E.; thence north with said quarter section line one thousand seven hundred and twenty-seven (1,727) feet, more or less, to the south line of section 9, T. 15 N., R. 3 E. the same being the center line of Morris street; thence east with said line and the center line of Morris street to the center line of Tremont street; thence north in the center line of Tremont street to the center line of Wilkins street; thence east with the center line of Wilkins street to the center line of Belmont avenue; thence north in the center line of Belmont avenue to the northwest corner of section 10, T. 15 N., R. 3 E.; thence east with the north line of sections 10 and 11, T. 15 N., R. 3 E., to the center line of White River, the place of beginning.

Section 4. That said ordinance as to the boundaries of the Fifteenth Ward be amended so as to read as follows:

Fifteenth Ward: All that part of said city bounded as follows shall be and constitute the Fifteenth Ward: Commencing at the intersection of the center lines of Sheffield avenue and the first road west of White River; thence in a southeasterly direction in the center line of the first road west of White River to a point nine hundred and ninety-two and two-tenths (992.2) feet north of the center line of Tenth street, measured at right angles thereto; thence in an easterly direction and parallel to the north line of Tenth street to the center line of White River; thence in a southwesterly and southeasterly direction in the center line of White River to the north line of section 11, T. 15 N., R. 3 E.; thence west with the north line of section 10 and section 11, T. 15 N., R. 3 E. to the northwest corner of section 10, T. 15 N., R. 3 E., the same being the center line of Belmont avenue; thence in a southerly direction in the center line of Belmont avenue to the center line of Oliver avenue, the same being a point in the corporation line of said city; thence in a westerly, northerly and easterly direction with the corporation line to the center line of the first road west of White River; thence in a southeasterly direction along the center of the first road west of White River to the center of Sheffield avenue, the place of beginning.

Section 5. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time.

Mr. Sourbier moved that the constitutional rules be suspended for the purpose of placing G. O. No. 43, 1903, on its final passage.

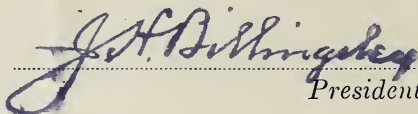
Which motion was unanimously adopted.

Thereupon G. O. No. 43, 1903, was read a second time, ordered engrossed, read a third time, and passed by the following vote:

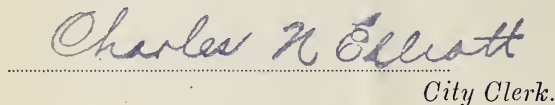
Ayes, 16, viz.: Messrs. Berry, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Berry, the Common Council at 8:10 o'clock p. m., adjourned.


President.

ATTEST:


City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, August 17, 1903.

The Common Council of the city of Indianapolis met in the Council Chamber, Monday evening, August 17, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 15 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Wolsiffer, Wynne and Wysong.

Absent, 5, viz: Messrs. McFarland, Spray, Wahl, Warweg, and Wheeler.

The Clerk proceeded to read the Journal, whereupon Councilman Moriarity moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

Indianapolis, Ind., July 8, 1903.

To the President and Members of the Common Council, Indianapolis:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 32, 1903. An ordinance approving a certain contract granting William F. Gansberg right to lay and maintain a switch or sidetrack across Ringgold avenue in the city of Indianapolis.

G. O. No. 33, 1903. An ordinance approving a certain contract granting Schnull & Co. the right to lay and maintain a switch or sidetrack across Chesapeake street and in and along Missouri street in the city of Indianapolis, Indiana.

Respectfully,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

Indianapolis, August 10, 1903.

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. No. 36, 1903. An ordinance transferring the sum of \$1,250 from a certain fund to a certain fund in and from the Department of Public Works, and fixing a time when the same shall take effect.

G. O. No. 37, 1903. An ordinance approving a certain contract guaranteeing the Aldag & Coonse Co. the right to lay and maintain a switch or sidetrack across the first alley south of Moore avenue, etc.

Very truly yours,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller,

Indianapolis, August 17, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith present communication from the Department of Public Works requesting the transfer of the sum of \$5,000 from the appropriation heretofore made for the account known as "Bridge" fund to the account known as the "Maintenance and repair of streets, including street repair pay-roll" fund. I recommend that an ordinance be passed making the transfer as requested.

Respectfully,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, August 17, 1903.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—You are hereby requested to recommend the transfer of the sum of five thousand dollars (\$5,000) from the "Bridge" Fund to the "Maintenance and Repair of Streets including Street Repair Pay-roll" fund.

Respectfully,

HAROLD C. MEGREW,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,
Office of City Comptroller,
INDIANAPOLIS, August 17, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith present a communication from the Department of Public Works, requesting the transfer of the sum of \$2,282.42 from the “Bridge” Fund to the “Payment of Assessments” Fund, with which to pay the assessment made against the city for the improvement of River avenue along Greenlawn cemetery.

I recommend that the transfer be made as requested.

Respectfully,
GEO. T. BREUNIG,
City Comptroller.

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, August 17, 1903.

Hon. Geo. T. Breunig, City Comptroller:

Dear Sir—We hand you herewith a certificate of the County Treasurer in the sum of \$2,282.42, on account of an assessment against Greenlawn cemetery for the improvement of a roadway in River avenue, from White river bridge to Kentucky avenue. There being no funds in the hands of the Board of Public Works upon which to draw a warrant for this amount, we request that you recommend the transfer of the sum of \$2,282.42 from the Bridge Account Fund to the Payment of Assessments Accounts.

Respectfully,
HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
Office of the Board.
INDIANAPOLIS, August 17, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a general ordinance ratifying and confirming a certain contract this day made and entered into by and between the Peoria and Eastern Railway Company and the City of Indianapolis, through its Board of Public Works, granting said railroad company the right to construct and maintain a switch or sidetrack across Depot street, the first alley east of Depot street and across Station street, in the city of Indianapolis.

Respectfully,
HAROLD C. MEGREW,
C. MAGUIRE,
Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, August 17, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a general ordinance ratifying and confirming a certain contract this day made and entered into by and between Reed & Graham and the City of Indianapolis, through its Board of Public Works, granting Reed & Graham the right to construct, maintain and lay a certain switch or sidetrack across the first alley east of Cornell avenue, in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, August 17, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a general ordinance ratifying and confirming a certain contract this day made and entered into by and between the City of Indianapolis, through its Board of Public Works, and the Sun Vapor Street Light Company for the placing of its incandescent system of gas lighting in certain streets, alleys and other public places in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS FROM STANDING COMMITTEES.

Mr. Wysong, on behalf of Committee on Public Property and Improvement, to which was referred G. O. No. 38, 1903: An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of warehouses, storerooms, tanks or other structures for the receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oils in quantities exceeding one hundred gallons, fixing a penalty for the violation thereof, providing for the publication thereof and fixing a time when the same shall go into effect.

Made the following report:

INDIANAPOLIS, August 17, 1903.

To the President and Members of the Common Council:

Gentlemen—Your committee, to whom was referred G. O. No. 38, 1903, have given the same their attention and at a meeting of the committee an invitation was given, through the press, to all that might be interested to attend and it was attended by a large number of manufacturers and dealers and the effect of the ordinance was freely discussed. It is the unanimous opinion of your committee that the passage of the ordinance would work an injury to a large number of manufacturers and others. We would therefore recommend that it do not pass.

B. F. WYSONG.

W. A. RHODES.

JOHN WOLSIFFER.

Which was read and, upon motion of Mr. Rhodes, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 39, 1903: An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain certain switch or sidetrack across Warman avenue, the first alley north of Bertha street and the first alley west of Warman avenue, in the city of Indianapolis.

Made the following report:

INDIANAPOLIS, August 17, 1903.

Mr. President:

Your Committee on Railroads, to whom was referred G. O. No. 39, 1903, have had same under consideration and recommend that same do pass.

FRED. W. EPPERT.

B. F. WYSONG.

ED. G. SOURBIER.

JOHN WOLSIFFER.

Which was read and, on motion of Mr. Eppert, concurred in.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to which was referred G. O. No. 40, 1903: An ordinance making it unlawful for any person, firm or corporation to run or operate an electric car in or upon the streets of the city of Indianapolis, Indiana, with a lighted arc headlight on said car, without such headlight being screened in such manner as to reduce the brilliancy of such light fifty per cent.; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, August 17, 1903.

To the President and Members of the Common Council:

We, your Committee on Public Safety and Comfort, having under consideration G. O. No. 40, 1903, recommend that the same do pass.

ED. G. SOURBIER.

W. A. RHODES.

FRED. W. EPPERT.

Which was read and, on motion of Mr. Sourbier, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Wynne:

G. O. No. 44, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be, and is hereby, transferred the sum of five thousand (\$5,000) dollars from the appropriation heretofore made for the account known and designated as the "Bridge" Fund to the account designated as "For the Maintenance and Repair of Streets, including Street Repair Pay-roll" Fund, Department of Public Works.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Wynne:

G. O. No. 45, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Department of Public Works, and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby transferred from the appropriation heretofore made for the "Bridge" Fund to the appropriation for the "Payment of Assessments" Fund, Department of Public Works, the sum of twenty-two hundred and eighty-two dollars and 42 cents, which sum so transferred is to be used in the payment of the assessment made against the city of Indianapolis for improving the roadway of River avenue along Greenlawn cemetery.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 46, 1903: Ratifying and confirming a certain contract made and entered into this 17th day of August, 1903, by and between the city of Indianapolis, through its Board of Public Works, and Reed & Graham, granting said Reed & Graham the right to construct and maintain a switch or sidetrack across the first alley east of Cornell avenue, in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 10th day of August, 1903, Reed & Graham filed their petition before the Board of Public Works as follows:

PETITION.

INDIANAPOLIS, Ind., August 10, 1903.

To the Board of Public Works of the City of Indianapolis, Indiana:

Gentlemen—The undersigned, Reed & Graham, respectfully petition your honorable Board and state that they are the owners of real estate abutting upon the first alley east of Cornell avenue and respectfully ask permission to construct and maintain a switch or sidetrack across the first alley east of Cornell avenue, in the city of Indianapolis, more particularly described as follows:

Beginning at a point in the east line of the first alley east of Cornell avenue, said point being one hundred and seventy-seven and one-half (177.5) feet north from the north line of Twenty-sixth street; thence running in a northwesterly direction across said alley to a point in the west line of said alley, said point being two hundred and forty-eight and one-half feet north of the north line of Twenty-sixth street. All as shown by the drawing attached and for greater certainty marked Exhibit A.

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon contract.

Respectfully submitted,

REED & GRAHAM,

By JAMES W. GRAHAM.

Now, Therefore, This agreement made and entered into this 17th day of August, 1903, by and between Reed & Graham, of the city of Indianapolis, County of Marion and State of Indiana, party of the first part, and the city of Indianapolis, Indiana, by and through its Board of Public Works, party of the second part.

Witnesseth: That party of the first part being desirous of securing the right of way for a switch or sidetrack across the first alley east of Cornell avenue, in the city of Indianapolis, which is more particularly described in the petition of the said party of the first part hereto attached, and made a part of this contract, hereby covenant and fully agrees and binds itself, its successors, legal representatives and assigns, that in consideration of the grant of the privileges and authority herein given it will lay, construct and lay and maintain one switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall at all times be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time

to time, be hereafter established, whenever so ordered, in writing by said Board and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions passed by said Board, for the elevation or depression of said sidetrack or switch or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing said sidetrack or switch crosses the first alley east of Cornell avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner.

(4) Said party of the first part agrees at the pleasure and the written order of the Board to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing the said sidetrack or switch or in causing the same to be moved said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to plank between the said sidetrack or switch from the property line to property line across the first alley east of Cornell avenue to the entire satisfaction of the second party, and in case of said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge) it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, for which expense and cost said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may on that account be rendered against said city.

(7) Any violation of any provision of this agreement by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges or authority given or granted by this contract: Provided, however, That the same will be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters connected therewith, and declaring an emergency, approved March, 1891," and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests in said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley east of Cornell avenue, in the city of Indianapolis, as follows:

Beginning at a point in the east side of the first alley east of Cornell avenue one hundred and seventy-seven and one-half (177.5) feet north of the north line of Twenty-sixth street, said being the point where the center line of said switch shall intersect the east line of said alley; thence running in a northwesterly direction across said alley to the

west side thereof at a point two hundred and forty-eight and one-half (248.5) feet north of the north line of Twenty-sixth street, at which point the center line of said switch shall intersect the west line of said alley. All as shown by the drawing attached hereto and for greater certainty marked Exhibit "A."

In Witness Whereof, We have hereunto set our hands and seals this 17th day of August, 1903.

REED & GRAHAM,

By JAMES W. GRAHAM,

Party of the First Part.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

C. MAGUIRE,

Board of Public Works,

Party of the Second Part.

Whereas, Said contract has been submitted by the said Board of Public Works to the Common Council of the city of Indianapolis for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 47, 1903: An ordinance approving a certain contract granting the Peoria & Eastern Railway Company the right to lay and maintain certain railroad tracks in the city of Indianapolis under stipulated terms and agreements.

Whereas, heretofore, to wit: On the 21st day of July, 1903, the Peoria & Eastern Railway Company filed their petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

INDIANAPOLIS, Ind., July 21, 1903.

To the Board of Public Works of the City of Indianapolis:

Gentlemen—The undersigned, Peoria & Eastern Railway Company, owners of certain real estate abutting on Depot street, the first alley east of Depot street and Station street, respectfully petition your honorable Board asking permission to construct and maintain one switch or sidetrack across Depot street, the first alley east of Depot street and Station street, for the purpose of entering the grounds of the said Peoria & Eastern Railway Company, as follows:

(1) Across Depot Street.—The following described center line of proposed railway wye or sidetrack, beginning at a point in the west line of Depot street, the said point being eighty-six (86) feet north of the north line of Twenty-first street, thence with a curve line in an easterly direction to a point in the east line of Depot street, the said point being seventy-five (75) feet north of the north line of Twenty-first street.

(2) Across the First Alley East of Depot Street.—The following described center line of railroad wye or sidetrack, beginning at a point in the west line of the first alley east of Depot street, the said point being

fifty (50) feet north of Twenty-first street, thence with a curve line in an easterly direction to a point in the east line of said alley, the said point being forty-eight (48) feet north of the north line of Twenty-first street.

(3) Across Station Street.—The following described center line of railroad wye or sidetrack, beginning at a point in the west line of Station street, the said point being sixty (60) feet north of the north line of Twenty-first street, thence with a curve line in an easterly direction to a point in the east line of Station street, the said point being seventy-two (72) feet north of the north line of Twenty-first street.

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may be hereafter agreed upon by contract.

Respectfully submitted,

THE PEORIA & EASTERN RAILWAY CO.,

By J. A. BARNARD,

General Manager.

Now, Therefore, This agreement, made and entered into this 14th day of August, 1903, by and between the Peoria & Eastern Railway Company, of the city of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth: That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Depot street, the first alley east of Depot street and Station street, in the city of Indianapolis, which is more specifically described in the petition of the said first party hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privilege and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

Sec. 2. Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by the Board, for the elevation or depression of said sidetrack or switch or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch crosses Depot street, the first alley east of Depot street and Station street shall, at all time be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing, or to be thereon, except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure to do so, upon such notification, in writing, of ten (10) days, to promptly pay the cost of having the same done. And the

party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said track or switch or in causing its removal said Board shall in nowise become trespasser.

(5) The party of the first part agrees to plank between said track or switch, from property line to property line across Depot street, the first alley east of Depot street and Station street to the entire satisfaction of the party of the second part, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account be rendered against it or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of the said Board, as hereinbefore set forth in clause four (4).

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across Depot street, the first alley east of Depot street and Station street, in the city of Indianapolis, as follows:

(1) Across Depot Street.—The following described center line of proposed railway wye or sidetrack, beginning at a point in the west line of Depot street, the said point being eighty-six (86) feet north of the north line of Twenty-first street, thence with a curve line in an easterly direction to a point in the east line of Depot street, the said point being seventy-five (75) feet north of the north line of Twenty-first street.

(2) Across the First Alley East of Depot Street.—The following described center line of railroad wye or sidetrack, beginning at a point in the west line of the first alley east of Depot street, that said point being fifty (50) feet north of Twenty-first street, thence with a curve line in an easterly direction to a point in the east line of the said alley, the said point being forty-eight (48) feet north of the north line of Twenty-first street.

(3) Across Station Street.—The following described center line of railroad wye or sidetrack, beginning at a point in the west line of Station Street, the said point being sixty (60) feet north of the north line of Twenty-first street, thence with a curve line in an easterly direction to a point in the east line of Station street, the said point being seventy-two (72) feet north of the north line of Twenty-first street.

In Witness Whereof, We have hereunto set our hands this 14th day of August, 1903.

THE PEORIA & EASTERN RAILWAY CO.,

By J. A. BARNARD,

General Manager.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

C. MAGUIRE,

Board of Public Works.

Whereas, has been submitted by the said Board of Public Works to the Common Council of the city of Indianapolis, Indiana, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Board of Public Works:

G. O. No. 48, 1903: A general ordinance ratifying and confirming a certain contract made and entered into by the city of Indianapolis through its Board of Public Works with the Sun Vapor Street Light Company for the lighting of certain streets, alleys, and other public places with its incandescent system of gas street lighting.

This agreement, entered into and acknowledged this 5th day of August, A. D. nineteen hundred and three, by and between the city of Indianapolis, county of Marion, and State of Indiana, under and by virtue of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding and matters connected therewith, and declaring an emergency," approved March 6, 1891, and amendments thereto, of the first part, and the Sun Vapor Street Light Company, a corporation duly organized and existing under the laws of the State of West Virginia, of the second part, witnesseth:

First.—The party of the second part, in consideration of the covenants and agreements hereinafter contained on the part of the said party of the first part and its successors, to be observed and kept, hereby agrees to and with the party of the first part to furnish fifty (50) first-class iron lamp posts, and as many more as may be required by the said party of the first part; and place thereon at its own cost and expense first-class boulevard lanterns, and keep the same in good repair, and place in said lanterns improved attachments for its incandescent system of gas street lighting, and furnish the gas used in lighting and men to light and keep said lanterns clean, and to light all such lamps for the number of nights and the number of hours per night as hereinafter set forth, during the continuance of this agreement, in accordance with the specifications hereto attached and made a part hereof.

Second.—The posts and lamps to be placed at such points on the lines of the gas mains of the Indianapolis Gas Company in the city of Indianapolis, Indiana, as may be determined upon by the said party of the first part.

The lamps to be furnished under this contract shall be lighted on a schedule of twenty-five nights per month from dusk to dawn during the entire term of this contract as per schedule approved by the Board of Public Works.

The light to be furnished by the said party of the second part to equal in brilliancy sixty candle-power each.

The party of the second part shall keep the said posts and lanterns in good repair at its own cost and expense, and the lanterns shall be cleaned by the said party of the second part to the satisfaction of the said party of the first part.

Third.—The said party of the first part hereby covenants and agrees to and with the said party of the second part to pay the said party of the second part for supplying the lamps, lanterns, gas and lights aforesaid and lighting the same in the manner aforesaid, the sum of twenty-eight (\$28) dollars per lamp per annum, payable monthly as the service is performed, which amounts the said party of the first part hereby covenants and agrees to pay to the said party of the second part at the times aforesaid.

Fourth.—All the posts, lanterns and equipments furnished by the said party of the second part to be the property and belong to the party of the second part, with a right to remove the same from the streets upon the expiration of this contract or any continuance or renewal thereof.

Fifth.—All lamps located at the intersection of streets to be equipped with street signs by the said second party as soon after the erection of said lamps as possible when so ordered by the said party of the first part.

Sixth.—It is further agreed that should any lamps fail to burn as herein agreed, a deduction shall be made equal to the pro rata cost of such lamp, for the time same has not been lighted according to contract and schedule.

Seventh.—This contract shall take effect on and from the fifteenth day of August, A. D. nineteen hundred and three, and shall continue for a period of five (5) years.

In Witness Whereof, The parties hereto have duly executed these presents the day and year first above written.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

THE SUN VAPOR STREET LIGHT CO.,

By SPENCER S. WEART,

Vice-President.

Attest:

RUSSELL G. CHASE,

Secretary.

SPECIFICATIONS FOR GAS.

Sealed proposals will be received by the Board of Public Works of the city of Indianapolis, Indiana, up to 10 o'clock, a. m., of the third day of August, 1903, for supplying said city with gas on certain alleys, streets, squares, avenues and public places of said city as hereinafter provided.

The following are the terms and conditions under which said proposals will be received, and under which a contract will be awarded for supplying said city with gas for lighting certain streets, avenues, alleys, lanes, squares and public places, where gas mains are now or

may hereafter be laid, in said city, for a term of five (5) years from the 15th day of August, 1903:

(1) Said proposal shall provide for supplying gas for fifty (50) lamps or more; said lamps to be of at least sixty (60) candle-power each, and to be located at such points as may be designated by said Board of Public Works, the price for which shall be at a fixed sum per lamp per annum for the said term of five (5) years, and shall include the laying of all services, including the riser, the furnishing and erecting of all posts of standard height and weight, free of charge to said city.

(2) All lamps must be of the most approved construction for lighting, must be kept clean, well painted and in good condition. The lanterns shall be cylindrical in their cross sections, and must be provided with glass or other transparent bottoms, and surrounded with a top or dome of iridescent and light reflecting material. The lanterns shall be equipped with approved wind guards so that the light will not be affected in any manner by high winds. The bottom of said lanterns shall be constructed so as to allow the lighting of said lamps without climbing on the posts. All lanterns shall be constructed so as to properly and symmetrically hold segment glass street signs, and such lanterns as are erected at intersection of streets to be equipped each with four signs giving the names of such intersecting streets; such segment signs to be of glass of white background and ruby letters. All posts to be ornamental in design, of iron construction, and to weigh not less than two hundred and fifty (250) pounds each, such posts to be painted from time to time as the Board of Public Works shall direct.

(3) The burners and globes on lanterns at all times to be kept clean and free from deposit of any kind, and if not so kept, the contract price of the lamp for such unclean burners, globes or lanterns, shall be forfeited for a period of time beginning with the day such lamps shall be reported to the contractor to be in such unclean condition, and ending the day on which it is cleaned: Provided, however, That no such deduction shall be demanded by said city if such dirt or deposit be the accumulation of not more than forty-eight (48) hours' time.

(4) The labor and material, and anything necessary to, or connected with the construction, operation, cleaning and maintenance of the same, and all things connected therewith, shall be done and furnished at the expense of said contractor, his successors or assigns; the intent and meaning of these specifications being that the city shall be put to no expense beyond the sum provided in the contract as drawn in conformity with these specifications, for supplying gas.

(5) All lamps, burners, posts and other property furnished as above, to remain the property of the contractor.

(6) Said lamps and posts shall be located at such points as may be designated by the Board of Public Works, and the said Board reserves the right to change the location of any lamp or lamps to such location or locations as the Board may deem necessary to meet the public need. The expense of such changes to be borne by said contractor.

(7) From the date of commencement of the contract made under these specifications until the date of expiration thereof, all lamps as located by said Board of Public Works in the several streets, avenues, alleys, lanes, squares and public places, furnished under said contract, shall be lighted on a schedule of 25 nights per month from dusk to dawn during the entire term of said contract, as per schedule approved by the Board of Public Works.

(8) The party to whom the contract may be awarded under these specifications shall be required to enter into a bond in the sum of five thousand dollars (\$5,000) with surety company security to the approval and satisfaction of the Board of Public Works of the city of Indianapolis, Indiana, and conditioned that said contractor shall faithfully

perform the said contract according to the terms thereof and according to these specifications which shall form a part of said contract. Said bond shall be renewed at any time the said Board shall require its renewal.

(9) All bids shall state in writing and in figures the price per lamp per year for supplying gas as herein provided for a period of five (5) years.

(10) Sealed proposals shall be addressed to the Board of Public Works of the city of Indianapolis, Indiana, and be filed in the office of said Clerk at or before ten (10) o'clock a. m. of the day upon which said proposals are to be received for supplying such gas, and shall be opened at that hour on said day in the presence of all bidders who may desire to be present. Bids shall be in strict conformity with these specifications.

(11) As a condition precedent to the consideration of any bid or proposal for lighting under these specifications, any party or parties desiring the consideration of his bid, shall deposit a certificate of deposit or certified check on any bank of the said city of Indianapolis, Indiana, for the sum of two hundred and fifty dollars (\$250) payable to the order of the Board of Public Works. No bids shall be considered unless accompanied by said deposit. Such deposit so made and delivered being with the distinct understanding and agreement between the bidder and the Board of Public Works on behalf of the said city and between said bidder and said city, that in case the party so depositing be awarded a contract in strict accordance with these specifications, when such contract is executed by the bidder, and a bond given as required by these specifications, with surety approved by the said Board of Public Works, then said deposit shall be returned to the bidder, but in case such award is made to the party so depositing, and such party for a period of ten (10) days neglects to enter into a contract in accordance with these specifications, then, in such case, the certificate of deposit or checks so deposited, shall pass to and become the property of the said city of Indianapolis, Indiana, not by the way of penalty, but as liquidated damages for the loss of time and expense incurred by said city in consequence of such failure of said party to consummate and execute the contract so awarded, and the said Board of Public Works shall have the power to collect the money and pay the same to the Treasurer of said city. The certificate of deposit or certified check so deposited by unsuccessful bidders on these specifications shall be returned to them, immediately upon awarding the contract to the party who shall make the successful bid, or upon the rejection of all bids.

(12) All sidewalks or highways that the said contractors at any time may open or intrench shall immediately be put in as good condition and repair as the same were in before such opening, and to the satisfaction and approval of said Board of Public Works.

(13) The Board of Public Works shall have the right in considering the bids submitted, to require any bidder to show his reliability and responsibility, and that he has the general and pecuniary ability, together with the proper facilities to fulfill any contract that may be awarded him, and that the apparatus proposed to be furnished has been in successful use at least one year. Bidders will also be required to have placed on exhibition at office of the Board, a sample of the proposed lamp complete, ready for service, one or more days prior to the day on which the Board of Public Works is to receive and open the bids. The Board of Public Works reserves the right to reject any or all bids.

(14) The contractor shall indemnify and save harmless the city against any and all claims which may be made by reason of any infringement of any patent right in the use of the lamp apparatus or

process which may be used in operating or maintaining the lamps furnished.

(15) The contractor will exercise, in prosecution of putting up all lights ordered and in maintaining the same, all proper skill and care; that it will properly and fully guard and protect all excavations or dangerous places made by it or its agents or employes, and will use all due and proper precaution to prevent injury to any property, person, persons what or whomsoever, for and during the entire period of the contract; and that for and during said period said contractor shall save the city of Indianapolis harmless from any and all liability whatsoever growing out of any injury or damage to property or persons and from all damage suits that may arise on account thereof, and to pay any judgment with costs which may be obtained against such city growing out of any such injury or damages whatsoever as aforesaid.

(16) The contractor shall do no injury to any shade trees, nor in any manner disturb or interfere with any water or gas pipes, nor with any public or private sewer, now or hereafter laid or constructed by any authorized person or corporation, and shall fully indemnify and save harmless the city of Indianapolis from any claims for damages whatsoever.

Know all men by these presents, That the Sun Vapor Street Light Company, a corporation created and existing under the laws of the State of West Virginia, as Principal, and the City Trust, Safe Deposit and Surety Company of Philadelphia, as Surety, are held and firmly bound unto the city of Indianapolis, Indiana, in the penal sum of five thousand dollars (\$5,000), lawful money of the United States of America, to be paid to the said city of Indianapolis, its certain attorney or assigns, which payment well and truly to be made, we do bind ourselves, our successors or assigns, jointly and severally, firmly by these presents.

Sealed with our seals this third day of August, A. D. nineteen hundred and three.

Whereas, The Sun Vapor Street Light Company has entered into a contract with the city of Indianapolis, Indiana, dated August 3, 1903, to furnish to the said city fifty or more incandescent gas street lights to light the streets of the said city, and to do certain other things in said contract fully set forth, for the period of five years from August 15, 1903.

Now, the condition of this obligation is such, that if the said the Sun Vapor Street Light Company shall and does in all and every respect fully and faithfully comply with all the terms, agreements and conditions of said contract, and complete and execute the same in all respects, then this obligation to be null and void; else to be and remain in full force and virtue.

THE SUN VAPOR STREET LIGHT CO.,

By SPENCER S. WEART,

Vice-President.

Attest:

RUSSELL G. CHASE, Secretary.

THE CITY TRUST, SAFE DEPOSIT AND
SURETY COMPANY OF PHILADELPHIA,

By JOS. A. SINN,

Second Vice-President.

Attest:

JAS. F. LYND, Secretary.

Approved August 10, 1903:

HAROLD C. MEGREW,
EDWIN D. LOGSDON,
C. MAGUIRE,

Board of Public Works.

Approved:

CHAS. A. BOOKWALTER,

Mayor.

JUSTIFICATION OF SURETY.

State of Pennsylvania, County of Philadelphia, ss.:

On this third day of August, A. D. 1903, before me, a Notary Public of the Commonwealth of Pennsylvania, residing in the city of Philadelphia, personally appeared Joseph A. Sinn, Second Vice-President of the City Trust, Safe Deposit and Surety Company of Philadelphia, elected at a meeting of the Board of Directors, held May 13, 1903, with whom I am personally acquainted, who being by me duly sworn, said that he resided in the city of Philadelphia; that he is the Second Vice-President of the said the City Trust, Safe Deposit and Surety Company of Philadelphia, the corporation described in and which executed the instrument attached hereto; that he knew the corporate seal of the said company; that the seal affixed to the foregoing instrument is such corporate seal; that it was affixed by order of the Board of Directors of said company and under and by virtue of the By-Laws of said company; and that he signed said instrument as Second Vice-President of said company, by like authority; and that the liabilities of the said company do not exceed its assets, according to the laws of the State of Pennsylvania, as evidenced by a duly verified copy of a statement of its assets and liabilities, as they were on June 30, 1903, attached hereto.

And the said Joseph A. Sinn further said, that he was acquainted with James F. Lynd, and knew him to be the Secretary of said company; that the signature of the said James F. Lynd, subscribed to the said instrument, is in the genuine handwriting of the said James F. Lynd, and was thereto subscribed by the like authority of the said Board of Directors, and in the presence of him, the said Joseph A. Sinn, Second Vice-President.

And the said Joseph A. Sinn further said that the attached statement of the assets and liabilities of the said company is correct and true; and that the said company has not, since the thirtieth day of June, 1903, sustained any losses affecting its financial condition.

J. WESLEY CONN,

Commission expires January 21, 1907.

Notary Public.

STATEMENT OF
THE CITY TRUST, SAFE DEPOSIT AND SURETY COMPANY
OF PHILADELPHIA.
Incorporated 1886.

On the 30th day of June, 1903, the assets and liabilities of the company were:

Assets.	
Cash on hand	\$82,260 20
Cash in banks	180,377 83
Call loans upon collaterals.....	1,448,963 79
Time loans upon collaterals.....	37,050 00
Loans upon bonds and mortgages.....	33,675 00
Investment securities owned, stocks, bonds, etc.....	396,444 50
Real estate, furniture and fixtures.....	511,504 99
Overdrafts	117 70
Miscellaneous assets	416,959 98
Total	\$3,107,353 99
Liabilities.	
Capital stock (fully paid).....	\$500,000 00
Surplus fund	150,000 00
Reinsurance reserve	133,512 00
Undivided profits	67,621 26
Deposits	2,242,073 73
Dividends unpaid	30 00
Miscellaneous liabilities	14,117 00
Total	\$3,107,353 99

County of Philadelphia, ss:

James F. Lynd, being duly affirmed, says that he is secretary and treasurer of the City Trust, Safe Deposit and Surety Company of Philadelphia, and that the above statement is a correct and true statement of the financial condition of the company on June 30, 1903.

JAMES F. LYND.

Affirmed to and subscribed before me this third day of August, A. D. 1903.

J. WESLEY CONN,

Notary Public.

Commission expires January 21, 1907.

Whereas, said contract has been submitted by the said Board of Public Works of the city of Indianapolis to the Common Council of the city of Indianapolis, Indiana, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in force from and after its passage.

The following schedule was adopted by the Board of Public Works on the 10th day of August:

THE SUN VAPOR STREET LIGHT CO., INDIANAPOLIS, IND.

Day of Mo.	JANUARY			Day of Mo.	FEBRUARY		
	Lit.	Ext.	Hours		Lit.	Ext.	Hours
1	5.20	6.20	13.00	1	5.50	6.10	12.20
2	5.20	6.20	13.00	2	5.50	6.10	12.20
3	5.20	6.20	13.00	3	5.50	6.10	12.20
4	5.20	6.20	13.00	4	5.50	6.10	12.20
5	5.20	6.20	13.00	5	5.50	6.00	12.10
6	5.20	6.20	13.00	6	5.50	6.00	12.10
7	5.20	6.20	13.00	7	5.50	6.00	12.10
8	5.20	6.20	13.00	8	6.00	6.00	12.00
9	....	....	....	9	6.00	6.00	12.00
10	....	....	....	10	....	....	....
11	....	....	....	11	....	....	....
12	....	....	....	12	....	....	....
13	....	....	....	13	6.00	6.00	12.00
14	....	....	....	14	6.00	6.00	12.00
15	5.30	6.20	12.50	15	6.00	5.50	11.50
16	5.30	6.20	12.50	16	6.10	5.50	11.40
17	5.30	6.20	12.50	17	6.10	5.50	11.40
18	5.30	6.20	12.50	18	6.10	5.50	11.40
19	5.30	6.20	12.50	19	6.10	5.50	11.40
20	5.30	6.20	12.50	20	6.10	5.50	11.40
21	5.30	6.20	12.50	21	6.10	5.50	11.40
22	5.40	6.20	12.40	22	6.10	5.40	11.30
23	5.40	6.20	12.40	23	6.10	5.40	11.30
24	5.40	6.20	12.40	24	6.20	5.40	11.20
25	5.40	6.20	12.40	25	6.20	5.40	11.20
26	5.40	6.10	12.30	26	6.20	5.40	11.20
27	5.40	6.10	12.30	27	6.20	5.40	11.20
28	5.40	6.10	12.30	28	6.20	5.40	11.20
29	5.40	6.10	12.30				
30	5.50	6.10	12.20				
31	5.50	6.10	12.20				

25 nights—319 hours, 10 minutes.

25 nights—295 hours, 20 minutes.

Heavy figures, dusk to midnight. Light figures, midnight to dawn.

THE SUN VAPOR STREET LIGHT CO., INDIANAPOLIS, IND.

Day of Mo	MARCH			Day of Mo.	APRIL		
	Lit.	Ext.	HOURS		Lit.	Ext.	HOURS
1	6.20	5.30	11.10	1	6.50	4.40	9.50
2	6.20	5.30	11.10	2	7.00	4.40	9.40
3	6.20	5.30	11.10	3	7.00	4.40	9.40
4	6.20	5.30	11.10	4	7.00	4.40	9.40
5	6.30	5.30	11.00	5	7.00	4.40	9.40
6	6.30	5.20	10.50	6	7.00	4.30	9.30
7	6.30	5.20	10.50	7	7.00	4.30	9.30
8	....	....	....	8	....	....	....
9	....	....	....	9	....	....	....
10	....	....	....	10	....	....	....
11	....	....	....	11	....	....	....
12	....	....	....	12	....	....	....
13	....	....	....	13	7.10	4.20	9.10
14	6.30	5.10	10.40	14	7.10	4.20	9.10
15	6.40	5.10	10.30	15	7.10	4.20	9.10
16	6.40	5.10	10.30	16	7.10	4.20	9.10
17	6.40	5.00	10.20	17	7.10	4.20	9.10
18	6.40	5.00	10.20	18	7.10	4.20	9.10
19	6.40	5.00	10.20	19	7.10	4.10	9.00
20	6.40	5.00	10.20	20	7.10	4.10	9.00
21	6.40	5.00	10.20	21	7.10	4.10	9.00
22	6.40	5.00	10.20	22	7.20	4.10	8.50
23	6.40	5.00	10.20	23	7.20	4.10	8.50
24	6.50	5.00	10.00	24	7.20	4.10	8.50
25	6.50	4.50	10.00	25	7.20	4.10	8.50
26	6.50	4.50	10.00	26	7.20	4.00	8.40
27	6.50	4.50	10.00	27	7.20	4.00	8.40
28	6.50	4.50	10.00	28	7.20	4.00	8.40
29	6.50	4.50	10.10	29	7.20	4.00	8.40
30	6.50	4.40	9.50	30	7.20	4.00	8.40
31	6.50	4.40	9.50				

25 nights—261 hours 10 minutes.

25 nights—228 hours, 10 minutes.

Heavy figures, dusk to midnight.

Light figures, midnight to dawn.

THE SUN VAPOR STREET LIGHT CO., INDIANAPOLIS, IND.

Day of Mo.	MAY			Day of Mo.	JUNE		
	LIT.	EXT.	HOURS		LIT.	EXT.	HOURS
1	7.30	4.00	8.30	1	8.00	3.30	7.30
2	7.30	4.00	8.30	2	8.00	3.30	7.30
3	7.30	3.50	8.20	3	8.00	3.30	7.30
4	7.30	3.50	8.20	4	8.00	3.30	7.30
5	7.30	3.50	8.20	5	8.00	3.30	7.30
6	....	....	....	6	....	....	....
7	....	....	....	7	....	....	....
8	....	....	....	8	....	....	....
9	....	....	....	9	....	....	....
10	....	....	....	10	....	....	....
11	....	....	....	11	8.00	3.30	7.30
12	7.40	3.40	8.00	12	8.00	3.30	7.30
13	7.40	3.40	8.00	13	8.00	3.30	7.30
14	7.40	3.40	8.00	14	8.00	3.30	7.30
15	7.40	3.40	8.00	15	8.00	3.30	7.30
16	7.40	3.40	8.00	16	8.00	3.30	7.30
17	7.40	3.40	8.00	17	8.00	3.30	7.30
18	7.40	3.40	8.00	18	8.00	3.30	7.30
19	7.40	3.40	8.00	19	8.00	3.30	7.30
20	7.40	3.40	8.00	20	8.00	3.30	7.30
21	7.50	3.40	7.50	21	8.00	3.30	7.30
22	7.50	3.40	7.50	22	8.00	3.30	7.30
23	7.50	3.40	7.50	23	8.00	3.30	7.30
24	7.50	3.40	7.50	24	8.00	3.30	7.30
25	7.50	3.30	7.40	25	8.10	3.30	7.20
26	7.50	3.30	7.40	26	8.10	3.30	7.20
27	7.50	3.30	7.40	27	8.10	3.30	7.20
28	7.50	3.30	7.40	28	8.10	3.30	7.20
29	7.50	3.30	7.40	29	8.10	3.30	7.20
30	7.50	3.30	7.40	30	8.10	3.30	7.20
31	7.50	3.30	7.40				
25 nights—199 hours.				25 nights—186 hours, 30 minutes.			

Heavy figures, dusk to midnight. Light figures, midnight to dawn.

THE SUN VAPOR STREET LIGHT CO., INDIANAPOLIS. IND.

Day of Mo.	JULY			Day of Mo.	AUGUST		
	LIT.	EXT.	HOURS		LIT.	EXT.	HOURS
1	8.10	3.30	7.20	1	7.50	4.00	8 10
2	8.10	3.30	7.20	2	7.40	4.00	8.20
3	8.00	3.30	7.30	3	7.40	4.00	8 20
4	8.00	3.30	7.30	4	....	....	....
5	....	....	....	5	....	....	....
6	....	....	....	6	....	....	....
7	....	....	....	7	....	....	....
8	....	....	....	8	....	....	....
9	....	....	....	9	....	....	....
10	....	....	....	10	7.30	4.10	8.40
11	8.00	3.40	7.40	11	7.30	4.10	8.40
12	8.00	3.40	7.40	12	7.30	4.10	8.40
13	8.00	3.40	7.40	13	7.30	4.10	8.40
14	8.00	3.40	7.40	14	7.30	4.10	8.40
15	8.00	3.40	7.40	15	7.30	4.10	8 40
16	8.00	3.40	7.40	16	7.30	4.10	8.40
17	8.00	3.40	7.40	17	7.30	4.10	8.40
18	8.00	3.40	7.40	18	7.20	4.10	8.50
19	8.00	3.40	7.40	19	7.20	4.10	8.50
20	8.00	3.40	7.40	20	7.20	4.20	9.00
21	8.00	3 50	7.50	21	7.20	4.20	9 00
22	8.00	3.50	7.50	22	7.20	4.20	9.00
23	7.50	3.50	8.00	23	7.20	4.20	9.00
24	7.50	3.50	8.00	24	7.20	4.20	9.00
25	7.50	3.50	8.00	25	7.20	4.20	9.00
26	7.50	3.50	8.00	26	7.20	4.20	9.00
27	7.50	3.50	8.00	27	7.20	4.20	9.00
28	7.50	3.50	8.00	28	7.20	4.20	9.00
29	7.50	3 50	8.00	29	7.20	4.20	9.00
30	7.50	3.50	8.00	30	7.20	4.20	9.00
31	7.50	3.50	8.00	31	7.20	4.20	9.00

25 nights—194 hours, 00 minutes.

25 nights—219 hours, 50 minutes.

Heavy figures, dusk to midnight. Light figures, midnight to dawn.

THE SUN VAPOR STREET LIGHT CO., INDIANAPOLIS, IND.

Day of Mo.	SEPTEMBER			Day of Mo.	OCTOBER		
	Lit.	Ext.	HOURS		Lit.	Ext.	HOURS
1	7.00	4.30	9.30	1	6.10	5.00	10.50
2	7.00	4.30	9.30	2	....	....	..
3	7.00	4.30	9.30	3	....	....	.....
4	....	....	....	4	....	....	.....
5	....	....	....	5	....	....	.....
6	....	....	....	6	....	....	.....
7	....	....	....	7	....	....	.....
8	....	....	....	8	6.00	5.00	11.00
9	6.50	4.30	9.40	9	6.00	5.00	11.00
10	6.50	4.40	9.50	10	6.00	5.10	11.10
11	6.50	4.40	9.50	11	6.00	5.10	11.10
12	6.50	4.40	9.50	12	6.00	5.10	11.10
13	6.50	4.40	9.50	13	5.50	5.10	11.20
14	6.50	4.40	9.50	14	5.50	5.10	11.20
15	6.50	4.40	9.50	15	5.50	5.10	11.20
16	6.50	4.40	9.50	16	5.50	5.10	11.20
17	6.40	4.40	10.00	17	5.50	5.10	11.20
18	6.40	4.40	10.00	18	5.50	5.10	11.20
19	6.30	4.40	10.10	19	5.40	5.10	11.30
20	6.30	4.40	10.20	20	5.40	5.20	11.40
21	6.30	4.50	10.20	21	5.40	5.20	11.40
22	6.30	4.50	10.20	22	5.40	5.20	11.40
23	6.30	4.50	10.20	23	5.40	5.20	11.40
24	6.30	4.50	10.20	24	5.40	5.20	11.40
25	6.30	4.50	10.20	25	5.40	5.20	11.40
26	6.30	4.50	10.20	26	5.40	5.20	11.40
27	6.20	4.50	10.30	27	5.30	5.30	12.00
28	6.20	4.50	10.30	28	5.30	5.30	12.00
29	6.20	4.50	10.30	29	5.30	5.30	12.00
30	6.20	4.50	10.30	30	5.30	5.30	12.00
				31	5.30	5.30	12.00

25 nights—251 hours, 30 minutes.

25 nights—287 hours, 30 minutes.

Heavy figures, dusk to midnight.

Light figures, midnight to dawn.

THE SUN VAPOR STREET LIGHT CO., INDIANAPOLIS, IND.

Day of Mo.	NOVEMBER			Day of Mo.	DECEMBER		
	Lit.	Ext.	Hours		Lit.	Ext.	Hours
1	.....	.....	.....	1	...	.....	.....
2	.....	.....	.....	2	.....	.....	.....
3	.....	.....	.....	3	.....	.....	.....
4	.....	.....	.....	4	.....	.....	.....
5	.....	.....	.....	5	5.00	6.10	13.10
6	5.20	5.40	12.20	6	5.00	6.10	12.10
7	5.20	5.40	12.20	7	5.00	6.10	13.10
8	5.20	5.40	12.20	8	5.00	6.10	13.10
9	5.20	5.40	12.20	9	5.00	6.10	13.10
10	5.20	5.40	12.20	10	5.00	6.10	13.10
11	5.20	5.40	12.20	11	5.00	6.10	13.10
12	5.20	5.40	12.20	12	5.00	6.20	13.20
13	5.20	5.40	12.20	13	5.00	6.20	13.20
14	5.10	5.50	12.40	14	5.00	6.20	13.20
15	5.10	5.50	12.40	15	5.00	6.20	13.20
16	5.10	5.50	12.40	16	5.00	6.20	13.20
17	5.10	5.50	12.40	17	5.00	6.20	13.20
18	5.10	5.50	12.40	18	5.00	6.20	13.20
19	5.10	5.50	12.40	19	5.00	6.20	13.20
20	5.10	5.50	12.40	20	5.00	6.20	13.20
21	5.10	5.50	12.40	21	5.00	6.20	13.20
22	5.10	5.50	12.40	22	5.10	6.20	13.10
23	5.10	5.50	12.40	23	5.10	6.20	13.10
24	5.10	5.50	12.40	24	5.10	6.20	13.10
25	5.10	6.00	12.50	25	5.10	6.20	13.10
26	5.10	6.00	12.50	26	5.10	6.20	13.10
27	5.10	6.00	12.50	27	5.10	6.20	13.10
28	5.00	6.00	13.00	28	5.10	6.20	13.10
29	5.00	6.00	13.00	29	5.10	6.20	13.10
30	5.00	6.00	13.00	30	.....	.....	.....
				31	.....	.....	.....

25 nights - 315 hours, -30 minutes.

25 nights—330 hours, 50 minutes.

Heavy figures, dusk to midnight.

Light figures, midnight to dawn.

SUMMARY.

MONTH.	Nights.	ours.	Min.
January	25	319	10
February	25	295	20
March.....	25	261	10
April.....	25	228	10
May.....	25	199	00
June	25	186	30
July.....	25	194	00
August.....	25	219	50
September	25	251	30
October	25	287	30
November.....	25	315	30
December.....	25	330	50
Total.....	300	3088	30

NOTE—The time mentioned in this schedule is sun time. In localities where standard or railroad time is used, the proper allowance must be made for the difference in time.

Heavy figures indicate the time from dusk to midnight, and light figures from midnight to dawn.

The figures in the first column indicate the hour when the lamps should all be burning, and lighters should therefore make allowance for the time it takes to light all the lamps, so that the last lamp is lighted at the hour mentioned in the first column.

The figures in the second column indicate the hour when the lamps should go out, and in the third column the number of hours burning.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Mr. Sourbier:

G. O. No. 49, 1903: An ordinance grading certain members of the fire force of the city of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the members of the fire force of the city of Indianapolis holding the positions of stokers, drivers, hosemen, laddermen, linemen, tower watchmen, telephone operators, coal wagon drivers, supply wagon drivers are hereby graded, according to their length of service, into three grades, as follows, viz.: All the aforesaid members who shall have served two years at the time this ordinance shall take effect shall constitute the first grade; all who have served one year shall constitute the second grade; and those who have served less than one year shall constitute the third grade. Service for one year in either the second or third grade shall entitle any member to advancement to the next

higher grade: Provided, That persons who shall be appointed as members of said fire force after serving a full year or more as substitute firemen, shall become members of the second grade.

Sec. 2. Each member of the first grade shall receive a salary at the rate of two dollars and fifty cents per day, or nine hundred and twelve dollars and fifty cents per annum.

Each member of the second grade shall receive a salary at the rate of two dollars and twenty-five cents per day, or eight hundred and twenty-one dollars and twenty-five cents per annum.

Each member of the third grade shall receive a salary at the rate of two dollars per day, or seven hundred and thirty dollars per annum.

Substitute firemen shall receive a salary of four hundred and eighty dollars per annum.

Sec. 3. The annual pay of the officers and members of said fire force not provided for in section 2 above shall be as follows, viz.:

The chief of the fire force shall receive a salary at the rate of two thousand two hundred dollars per annum.

The first assistant chief of the fire force shall receive a salary at the rate of sixteen hundred and twenty dollars per annum.

The second assistant chief of the fire force shall receive a salary at the rate of fifteen hundred dollars per annum.

The superintendent of telegraph shall receive a salary at the rate of sixteen hundred dollars per annum.

The assistant superintendent of telegraph shall receive a salary at the rate of one thousand and twenty dollars per annum.

Each captain shall receive a salary at the rate of one thousand and fifty dollars per annum.

Each lieutenant shall receive a salary at the rate of nine hundred and sixty dollars per annum.

Each engineer shall receive a salary at the rate of one thousand and twenty dollars per annum.

The chief telephone operator shall receive a salary at the rate of nine hundred and sixty dollars per annum.

Sec. 4. The salaries and compensations enumerated in and provided for in the foregoing sections of this ordinance shall be paid out of the funds of the city treasury appropriated for such purpose, at the time and in the manner provided by law.

Sec. 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 6. This ordinance shall be in full force and effect from and after the 1st day of January, 1904, after its passage and approval by the Mayor of said city of Indianapolis, Indiana.

Which was read a first time and referred to Committee on Finance.

By Mr. Sourbier:

G. O. No. 50, 1903: An ordinance requiring the Indianapolis Union Railway Company to station and maintain a flagman at the crossing of West Market street and the tracks of the said railway company, in the city of Indianapolis, Indiana.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the Indianapolis Union Railway Company be and the same is hereby required to station and maintain a flagman at

the crossing of West Market street and said railroad company's tracks, in the city of Indianapolis. The same to be done within ten days after the passage of this ordinance. Said company is required to provide such flagman with a flag for use in daylight, from the hour of 6 a. m. to the hour of 6 p. m., and a lantern for use at times when it may be dark within said period. If the said railway company shall fail or refuse to comply with any provision of this ordinance it shall be liable to a fine not exceeding \$5, and each day's failure to comply with any provision of this ordinance shall constitute a separate offense.

Sec. 2. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Which was read a first time and referred to Committee on Public Safety and Comfort.

By Mr. Moriarity :

G. O. No. 51, 1903: An ordinance regulating the location, erection and maintenance, or establishment and maintenance, of warehouses, storerooms, tanks, or other structures for the receptacle, deposits or storage of petroleum, gasoline or other fuel or illuminating oils in quantities exceeding four hundred barrels, fixing a penalty for the violation thereof, providing for a publication thereof, and fixing a time when the same shall go into effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That it shall be unlawful for any person, partnership, or corporation to locate, build, erect and maintain any warehouse, store-room, tank or other structure for the receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oil in quantity exceeding four hundred barrels within the city of Indianapolis.

Sec. 2. Any person, partnership or corporation who shall violate any provisions of section one of this ordinance shall be fined in the sum of one hundred dollars (\$100) for the first offense, and the sum of twenty-five dollars (\$25) for each additional offense, and every day said ordinance is violated shall constitute a separate offense.

Sec. 3. Any such warehouse, storeroom, tank or other structure for receptacle, deposit or storage of petroleum, gasoline or other fuel or illuminating oil, erected or established in violation of this ordinance shall be deemed a nuisance and may be abated as such; and it is hereby the duty of the Building Inspector of the city of Indianapolis to abate the same as a nuisance by proper steps.

Sec. 4. This ordinance shall be in full force and effect in one year after its passage and publication in a newspaper of general circulation, printed and published in the city of Indianapolis.

Which was read a first time and referred to Committee on Ordinances.

By Mr. Kelly :

G. O. No. 52, 1903: An ordinance repealing vehicle ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general vehicle ordinance providing a license on all vehicles, approved November 27, 1893.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That general ordinance providing a license or tax on all

vehicles, approved March 1, 1880, and all ordinances in conflict with the general vehicle ordinance, approved November 27, 1893, is hereby repealed.

Sec. 2. This ordinance shall be in force and effect from and after its passage on legal publication.

Which was read a first time and referred to Committee on Judiciary.

MISCELLANEOUS BUSINESS.

Mr. Holliday offered the following resolution :

Resolution No. 9, 1903:

Resolved, That James T. Layman, or those he may direct, shall have the privilege of shooting blackbirds on his residence grounds at Irvington, Ind.

The blackbirds in endless numbers roost on his trees, make the sidewalks and grounds filthy and thereby have become a great nuisance.

Which was read and referred to Committee on Public Safety and Comfort.

Mr. Warweg arrived and took his seat.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 39, 1903: An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain certain switch or sidetrack across Warman avenue, the first alley north of Bertha street and the first alley west of Warman avenue, in the city of Indianapolis.

On motion of Mr. Eppert, G. O. No. 39, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Warweg, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

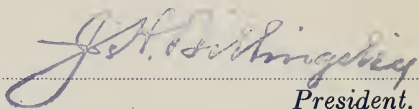
G. O. No. 40, 1903. An ordinance making it unlawful for any person, firm or corporation to run or operate an electric car in or upon the streets of the city of Indianapolis, Indiana, with a lighted arc headlight on said car, without such headlight being screened in such manner as to reduce the brilliancy of such light fifty per cent.; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect.

On motion of Mr. Sourbier, G. O. No. 40, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 17, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Warweg, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Moriarity, the Common Council, at 8:25 o'clock, p. m., adjourned.


.....
President.

ATTEST:


.....
City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,
TUESDAY, August 25, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Tuesday evening, August 25, 1903, at 7:30 o'clock in special session, pursuant to the following call.

EXECUTIVE DEPARTMENT,
City of Indianapolis.

INDIANAPOLIS, August 24, 1903.

To the President and Members of the Common Council, and City Clerk:

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council, in the Council Chamber, Tuesday evening, August 25th, for the purpose of considering and passing of an ordinance providing for the transfer of the sum of five thousand dollars (\$5,000) from the appropriation heretofore made for the account known as the "Bridge Fund" to the account known as the "Maintenance and Repair of Streets, Including Street Pay-Roll Fund." Also for the purpose of considering and passing an ordinance providing for the transfer of the sum of twenty-two hundred and eighty-two dollars and forty-two cents (\$2,282.42) from the "Bridge Fund" to the "Payment of Assessments Fund" with which to pay the assessment made against the city for the improvement of River avenue along Greenlawn Cemetery. Also for the purpose of introducing and referring to the proper committee an ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the 24th day of August, 1903, between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Logansport and Chicago Railway Company, whereby said railroad is authorized to construct its track, or tracks, along and across certain streets, alleys, and public places in the city of Indianapolis, and to maintain the same and operate thereon, prescribing terms and conditions upon which said rights are granted, and fixing a time when the same shall take effect. Also for the purpose of introducing and referring to the proper committee, an ordinance authorizing the issue and sale of sixty-five bonds of one thousand dollars each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said city, or as may be required by law, in order to raise money to expend in the construction of a bridge where Northwestern avenue crosses Fall Creek in said city; prescribing the time and manner of the advertisement and sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; and fixing a time when same shall take effect.

CHARLES A. BOOKWALTER.

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,
City Clerk.

Present, James H. Billingsley, President of the Common Council in the chair, and 17 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 3, viz.: Messrs. McFarland, Spray and Wahl.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

INDIANAPOLIS, August 24, 1903.

To the President and Members of the Common Council:

Gentlemen—We transmit herewith for your consideration and action thereon a general ordinance, ratifying, confirming and approving a certain contract this day made and entered into with the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Logansport and Chicago Railway Company, granting said company the right to construct and maintain track or tracks across certain streets, alleys, and public places in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,
C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Contracts and Franchises.

REPORTS FROM STANDING COMMITTEES.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 44, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, August 24, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred General Ordinance No. 44, 1903, beg leave to report that they have had same under consideration, and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
LEW W. COOPER,
FRED W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 45, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Department of Public Works, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, August 24, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred General Ordinance No. 45, 1903, beg leave to report that they have had same under consideration, and recommend that same do pass.

T. A. WYNNE,
JNO. H. CRALL,
B. F. WYSONG,
LEW W. COOPER,
FRED W. EPPERT.

Which was read and, on motion of Mr. Wynne, concurred in.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following ordinances were introduced:

By Board of Public Works:

G. O. No. 53, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-fourth day of August, 1903, between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Logansport and Chicago Railway Company, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the city of Indianapolis, and to maintain the same and operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

Whereas, Heretofore, to wit, on the twenty-fourth day of August, 1903, the city of Indianapolis, by and through its Board of Public Works, entered into the following agreement with the Indianapolis, Logansport and Chicago Railway Company, viz.:

This agreement, entered into this twenty-fourth day of August, 1903, by and between the city of Indianapolis, Marion County, Indiana (hereinafter called "The City"), by and through its Board of Public Works, party of the first part, and the Indianapolis, Logansport and Chicago Railway Company (hereinafter called "The Railway Company"), a corporation duly organized and incorporated under and by virtue of the laws of the State of Indiana, party of the second part: Witnesseth, that,

Whereas, Said railway has presented its written petition to the Board of Public Works of said city, asking permission to be allowed to construct a line of railway from the northwest corporate limits of

said city to a point on the north line of Washington street, between Missouri street and West street, in said city, as shown by the plat of said railway route filed in the office of the said Board of Public Works; and also asking permission to be allowed to operate over and upon said railway when so constructed, and also asking permission of said Board of Public Works to authorize said company to so construct its track or tracks over, across and upon certain streets, alleys and public grounds, and to operate on and over the same in and through said city; now, therefore,

Said Board of Public Works of said city of Indianapolis, in consideration of the several agreements of said railway company, party of the second part, hereinafter stipulated and set forth, does hereby (subject to the ratification and approval of the Common Council of said city) authorize, empower and permit said Indianapolis, Logansport and Chicago Railway Company, subject to the conditions hereinafter prescribed and expressed, to construct its grade, lay its ties and rails, construct and run its said line of railway and equip and operate the same upon the following route, within the limits of said city, to wit:

Beginning at the center line of the Meyer's Free Gravel Road immediately east of the east line of the right-of-way of the C. C. C. & St. L. Railway Company, and running thence southeasterly, parallel with and immediately adjoining the right-of-way of the said C. C. C. & St. L. Railway Company, crossing the latter line between Thirtieth street and the Belt Line Junction, thence adjoining the west line of the right-of-way of the said C. C. C. & St. L. Railway Company, to the point of intersection of Aqueduct street and Twenty-fourth street in said city of Indianapolis; thence south through Aqueduct street and continuing along the west side of Fall Creek to a point of crossing said Fall Creek about five hundred (500) feet south and west of the Indiana avenue bridge over said Fall Creek; thence in a southerly direction to an intersection with what is known as the "Geisendorff Mill Race;" thence following along and over the line of said "Mill Race" property, in a general southeasterly direction to the west line of Blake street, at a point about seven hundred (700) feet south of the intersection of New York street with said Blake street; thence continuing in an easterly direction to a point between the west line of Missouri street and the west line of the alley between the east and west halves of square 51 in the original plat of the city of Indianapolis; and thence curving south to a terminal at the north line of Washington street.

Also the right to lay, maintain and operate two tracks from the point of beginning at the northwest city limits, to the west line of Blake street; and to lay, maintain and operate three tracks from the west line of Blake street to the west line of Blackford street; and five tracks across Blackford street; two tracks across West street, and six tracks across West Market and West Court streets, east of the west line of the alley between the east and west halves of Square 51 in the original plat of the city of Indianapolis; also the right to lay, maintain and operate the necessary side-tracks, switches and turn-outs, and the right is given and granted said railway company to cross over and run upon and along said streets, alleys and public grounds between the point of beginning and the said north line of Washington street. And the said railway company is further authorized, empowered and permitted to enter upon any of the streets, alleys and public grounds aforesaid, with its engineers, surveyors, superintendents, trackmen or other employes for the purpose of surveying and constructing its grade and railway tracks, as aforesaid.

Provided, however, That the right of said railway company to construct, maintain and operate said railway in said city, as aforesaid, is granted and held upon and subject to the terms and conditions following, to wit:

1. That said railway company in the construction of its grade and tracks aforesaid, shall so construct the same as to conform to the reasonable requirements of the Board of Public Works of said city, and when its railway is constructed, as aforesaid, shall restore all such streets, alleys and public grounds to as good condition as the same were in at the time said construction was commenced; and said railway company shall make all proper crossings as required by said Board of Public Works of said city, so that travel across said grade and tracks shall not be seriously inconvenienced by the construction of said railway, and shall improve and repair on and along its right-of-way in conformity with their improvements, all street and alley crossings at all times as required by the said Board of Public Works, and during the period of construction, said railway company shall keep and maintain at all places where said tracks are crossed by a public thoroughfare proper and sufficient guards and warnings to the approval of the said Board of Public Works, for the protection of pedestrians and other traffic desiring to cross said tracks during said period of construction.

2. The granting of said right as aforesaid, shall in no wise be construed as granting a right-of-way over private property, and said railway company shall be and become liable for all damages for which said said railway company or the city may be legally liable, which may be sustained by any person on account of the construction or operation of said railway, as aforesaid, either to property, part of which is taken and used, or by reason of the depreciation of the value of the part that is not taken or used, or by reason of the carelessness, negligence or misconduct of any of its agents, servants or employes in the construction or operation of said railway, as aforesaid; and said railway company hereby agrees, when duly notified in writing and permitted to defend and appeal, to indemnify and hold harmless said city from any liability, as aforesaid, and agrees to pay any final judgments or judgment rendered against said city on account thereof, and to defend upon written notice, from and in the name of said city, any action against it on account thereof. It is further agreed that said railway company before entering upon the work of construction in said city shall pay any and all damages to private property by reason of the depreciation in value thereof for which it may be legally liable on account of said construction. And upon entering upon any of the streets, alleys or public grounds of the city for the purpose of constructing its said grade and tracks, said railway company shall immediately file with the Board of Public Works of said city, a surety company bond to the approval of said Board of Public Works, in the sum of twenty-five thousand (\$25,000) dollars, so conditioned as to secure the performance of its part of the conditions contained in this section, and the said board may demand an increased or different bond should circumstances justify such demand.

3. Said railway company shall immediately construct and continually keep in good repair through and along its grade and tracks, as aforesaid, at such points as may be designated by written notice by the Board of Public Works, sufficient culverts, ditches, drains and sewers to admit the free passage of surface water under its said grade, and track or tracks, and along and over the said streets and alleys, as aforesaid.

4. All acts and things required to be done by said railway company with reference to the condition of streets, alleys and public places, or the crossings thereof, or the construction or maintenance of culverts and drains, shall be done promptly after the construction of said grade and tracks along, across and over said streets, alleys and public grounds, as aforesaid; and in case said company shall fail to perform said acts and things required to be done, and shall fail to keep the same properly improved and repaired to the approval of said Board

of Public Works, said city, through its said board, may perform such work and collect the cost thereof, with twenty (20) per cent. damages in addition thereto, from said company in any court of competent jurisdiction; and the bond heretofore required of said railway in section two (2) shall also be conditioned to cause said surety to become liable for the payment of any judgment rendered in such proceedings. In the event said Board of Public Works shall, by proper resolution, decree the improvement of any street, alley or public ground crossed by said railway, said railway shall pay its proportionate share of the cost thereof, as may be adjudged by said board.

5. And it is hereby further agreed that as soon as said city shall determine upon a practical plan for a subway crossing of Thirtieth street under said railway, that the railway shall immediately construct a viaduct across said Thirtieth street, according to the plans and specifications furnished by the City Civil Engineer of said city, upon the written demand of said board, and that said company will maintain said structure permanently, and that the railway will upon written demand of said board repair said structure, or replace same by a larger and more substantial structure, should the needs of the traffic on said Thirtieth street demand it.

In case said company shall fail to promptly provide said structure, or repair and maintain the same, upon proper written notice, then, in that event, said city, through its Board of Public Works, may construct, repair and maintain the same and collect the cost thereof, with twenty (20) per cent. damages in addition thereto, by suit against said company in any court of competent jurisdiction; and the bond heretofore required of said railway shall also be conditioned so as to cause said surety to become liable for the payment of any judgment rendered in such proceedings; but such remedy at law shall not preclude said city from exercising its right to compel said railway to construct, repair and maintain said structure by any other proper legal proceeding. And said railway company shall elevate its tracks, where said railway crosses Douglass and Geisendorff streets, not less than fourteen and one-half (14½) feet, on plans to be approved by the Board of Public Works.

6. Said railway company in the construction and operation of its railway shall equip and maintain safety gates and a flagman at each street crossing from six o'clock a. m. to eight o'clock p. m. every day; and shall equip, maintain and operate electric warning devices at all crossings of all streets, alleys and public places of said railway from eight o'clock p. m. to six o'clock a. m. And shall hereafter construct and maintain safety gates and flagmen, electrical devices, or other improved equipment at such other places as may be ordered and directed by said Board of Public Works in writing, at any time, or from time to time, without any further ordinance or ordinances or direction other than the written order of said Board of Public Works.

7. The said railway company shall not permit any car or locomotive to stand on the crossing of any street or alley crossing said right-of-way, so as to unnecessarily obstruct the free passage of teams, vehicles or persons, over said right-of-way, or to cause danger or inconvenience; and said railway company shall in all cases cause the engine bell to ring as its locomotives and trains are moving along said tracks, and said railway company shall not run any locomotive or car along its said tracks at a faster rate than allowed by the general ordinance of said city under the penalties therein prescribed. Said railway company shall not discriminate in the rates charged on freight as between other points and said city to the detriment of said city.

8. Said railway company shall construct and maintain its said grade and tracks so as to conform as far as possible to the grade of all

streets and alleys as now established, or as may hereafter be established; and shall not impede travel or interfere with the free use of the streets at the crossings thereof; and shall keep all such crossings improved and repaired as may be required by and under the written directions of the Board of Public Works; said railway company shall also construct and keep in repair any bridges which may be necessary for it to use along its right-of-way, and shall construct and keep in repair any approaches, to the approval of the Board of Public Works, wherever the grade of its said tracks does not conform to the grade of any street or alley crossing said track or tracks. Said railway shall wherever its right-of-way and tracks shall be constructed along or across a stream or water-channel, so use the channel and banks of such stream, or water-channel, that its utility and present purpose shall not be interfered with, nor the flow of water therein obstructed, and said railway at the place of its crossing shall keep such stream or water-channel free from rubbish and other obstructions likely to impede the flow of water therein, or to create a public nuisance; and said railway company shall widen, improve and strengthen the dyke or embankment constituting its right-of-way, or grade, from Twenty-first street to Indiana avenue, so as to entirely and forever prevent and render impossible any overflow of Fall Creek at such places.

9. Said railway company shall at all times in accordance with any requirements of the said Board of Public Works, permit the crossing of its right-of-way, either under or over or by viaduct, or the passage through or under its right-of-way of any sewer, tunnel or subway that may be authorized to be constructed by said Board of Public Works.

10. It is expressly understood and agreed as one of the conditions precedent to the granting of this franchise, that should the city of Indianapolis through any order of said Board of Public Works, or by contract, or by ordinance duly passed by the Common Council, or otherwise, adopt and establish a general system of railway track elevation, or depression, in said city, by which plan the tracks of the Union Railway Company, and any other railway companies connected therewith, shall be changed from present grade, the said railway company shall promptly comply with the terms of such order, contract, ordinance or other proceeding, and shall, without further ordinance or order, promptly raise or lower its said tracks from and to such a point in said city as may be determined by the said Board of Public Works, and not otherwise, and do hereby waive and renounce any right to contest the validity or legality of such ordinances, order, contract or other proceeding; and should the railway company refuse or fail to promptly begin the work of elevation, or depression, as may be required, hereunder, and prosecute the work with reasonable diligence, the said city shall have the right and power, in addition to any right of forfeiture, to compel the performance of such work by proper legal proceeding in any court of competent jurisdiction, and the railway company shall pay all costs, expenses and attorney's fees of prosecuting such proceedings, if determined in favor of the city, and the bond heretofore required of said railway company in section two (2) hereof shall also be conditioned to cause said surety to become liable for the payment of such costs, expenses and attorney's fees, all payable without relief from valuation or appraisement laws.

11. In case said railway company shall fail to construct within five years and operate and keep in operation said road, as provided herein, between the cities of Indianapolis and Logansport, all rights and privileges hereby granted said railway company shall be forfeited, and said city shall have the right to enter upon the streets, avenues, alleys and public grounds (the right to cross, run upon and use which is granted in this franchise) and remove therefrom the tracks, and other property of said railway company, upon proper written resolution of said Board of Public Works.

12. The rights and privileges hereby granted are made and accepted subject to the jurisdiction, authority and decision of the Board of Park Commissioners of said city, where said railway crosses Riverside Park; as to the location and width of the right-of-way thereover; the price of such right-of-way and the grade thereof; the character and dimension of the retaining wall; the number, location, character and dimensions of the subways crossing said railway; the right to demand additional subways, to locate them and to prescribe the plans and specifications therefor; to approve the plans, specifications and materials to be adopted and used in any of said work in said park; to determine the time in which such work may be done therein and to regulate the hauling or depositing of materials therein; and to determine whether or not sidings or switches in addition to the main line shall be permitted in said park. And said railway shall be subject at all times to the reasonable control, rules and regulations of the said Board of Park Commissioners.

13. It is hereby understood and agreed that all of the conditions imposed herein upon said railway are conditions precedent, and a failure to comply therewith upon written demand of the Board of Public Works shall be cause for forfeiture of said franchise; or, where it is possible said condition may be performed by said city, said city through its Board of Public Works may perform same and the cost thereof with twenty (20) per cent. damages in addition thereto, may be collected by suit against said company in any court of competent jurisdiction, and the bond heretofore required from said company shall also be conditioned to cause said surety to become liable for the payment of any judgment rendered in such proceeding.

14. This contract shall take effect and be in full force from and after the date of its approval and ratification by ordinance of the Common Council of said city.

In Witness Whereof, the said parties have hereunto set their hands this twenty-fourth day of August, 1903.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,
EDWIN D. LOGSDON,
CHAS. MAGUIRE,

Board of Public Works.

CHARLES A. BOOKWALTER,
Mayor.

INDIANAPOLIS, LOGANSPORT AND
CHICAGO RAILWAY COMPANY,

By FREDERICK A. GALE,
President.

Attest:

QUINCY A. MYERS,
Secretary.

(Seal.)

And whereas, Said contract and agreement has been submitted by the said Board of Public Works of the city of Indianapolis to the Common Council of said city for its action thereon; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, That the foregoing contract and agreement made and entered into on the twenty-fourth day of August, 1903, by the city of Indianapolis, by and through its Board of Public Works, with the Indianapolis, Logansport and Chicago Railway Company, be and the same

is hereby in all things ratified, confirmed and approved, and said Indianapolis, Logansport and Chicago Railway Company is granted all rights, privileges and franchises as is in said contract and agreement set forth, in accordance with the terms, conditions and provisions thereof.

Which was read a first time and referred to Committee on Contracts and Franchises.

By Mr. Wynne:

G. O. No. 54, 1903: An ordinance authorizing the issue and sale of sixty-five (65) bonds of one thousand (\$1,000) dollars each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend in the construction of a bridge where Northwestern avenue crosses Fall Creek in said city; prescribing the time and manner of the advertisement and sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; and fixing a time when same shall take effect.

Whereas, It is deemed prudent and advisable and for the best interests of the city of Indianapolis to construct a new bridge where Northwestern avenue crosses Fall Creek in said city; and,

Whereas, There are not now and will not be sufficient funds in the treasury of said city with which to construct said new bridge, it is necessary for the city of Indianapolis to borrow the sum of sixty-five thousand (\$65,000) dollars and issue and sell its bonds in that amount payable from the general revenues and funds of said city, or from the Sinking Fund of said city, or as may be required by law; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the head of the Department of Finance of said city be and is hereby authorized, for the purpose of procuring means to construct a bridge where Northwestern avenue crosses Fall Creek, to prepare and sell sixty-five (65) new bonds of the city of Indianapolis, Marion County, Indiana, of the sum of one thousand (\$1,000) dollars each, which bonds shall bear date of October 1, 1903, and shall be numbered one to sixty-five inclusive, and shall be designated "Indianapolis Bridge Bonds of 1903," and shall bear interest at the rate of three and a half (3½) per centum per annum, which interest shall be payable semi-annually on the first day of January and the first day of July of each year, beginning with July 1, 1904, and said installments of interest shall be evidenced by interest coupons attached to said bonds; said bonds and said coupons shall be negotiable and payable at the banking house of Winslow, Lanier & Company, of Greater New York, State of New York; said bonds shall be signed by the Mayor and City Comptroller of said city of Indianapolis, and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and said bonds shall mature January 1, 1924, with coupons attached thereto for the semi-annual installments of interest at the rate of three and a half (3½) per centum per annum, payable January 1st and July 1st of each year, beginning with July 1, 1904, with the first coupon on each bond being for interest from date to July 1, 1904; and said interest coupons shall bear the lithographic fac-simile of the signature of the Mayor and City Comptroller; said bonds shall be prepared by the head of the Department of Finance in due form, irrevocably pledging the faith and credit of the city of Indianapolis, Marion County, Indiana, to the payment of the principal and interest stipulated therein respectively.

It shall be the duty of the head of the Department of Finance at the time of the issuance and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with number one, and giving the date of their issuance, their amount, date of maturity, rate of interest and time and place where said interest shall be payable; said bonds shall be substantially in the following form, tenor and effect; all blanks for numbers and dates are to be properly filled before the issuance thereof:

No.....

\$1,000.00

United States of America,
City of Indianapolis,
Marion County, State of Indiana,
Indianapolis Bridge Bonds of 1903.

For value received the city of Indianapolis, Indiana, promises to pay to the bearer one thousand (\$1,000) dollars in lawful money of the United States of America, on the first day.....19....., with interest thereon at the rate of three and a half (3½) per centum per annum, payable semi-annually on the first day of January and the first day of July of each year hereafter, beginning with July 1, 1904, the first coupon carrying the interest hereof from date to July 1, 1904, upon the surrender and cancellation of the proper coupons hereto attached; both principal and interest being payable at the banking house of Winslow, Lanier & Company, of Greater New York. This bond is one of a series of sixty-five (65) bonds numbered from one to sixty-five each, inclusive, each of the same date, amount, maturity, tenor and effect, which bonds have been issued by the city of Indianapolis in order to raise money to furnish means to expend for constructing a bridge where Northwestern avenue crosses Fall Creek, in and pursuant to an ordinance duly and legally passed by the Common Council of said city in strict conformity with, and as authorized by the act of the General Assembly of the State of Indiana entitled, "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891; and all acts supplementary thereto and amendatory thereof, and all things and acts required by the laws of the State of Indiana, and said ordinances have happened and have been done and performed in and about the authorization, appropriation, issue and complete execution of this bond, and this bond is certified to be within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and the faith and credit of the city of Indianapolis, Marion County, Indiana, are irrevocably pledged to the payment of the principal and interest of this bond as herein stipulated.

In Witness Whereof, The Common Council of the city of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Comptroller, and the seal of said city to be affixed thereto and attested by the City Clerk, this day of 1903.

.....
Mayor.

.....
City Comptroller.

Attest:

.....
City Clerk.

(Seal.)

The interest warrants or coupons attached to said bonds shall be authenticated by the signatures of the Mayor and City Comptroller of said city engraved thereon, which shall, for all purposes, be taken and deemed to be equivalent to a manual signing thereof; and the first coupon attached to each bond shall be for the interest on said bond from date until the first day of July, 1904.

Sec. 2. That the head of the Department of Finance shall, as soon as practicable after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each in the Indianapolis Journal and the Daily Reporter, daily newspapers of general circulation, printed and published in the city of Indianapolis, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the City Comptroller shall see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they shall bear, that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Comptroller to reject any or all bids, the amount of deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid or proposal shall be presented to the City Comptroller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the city of Indianapolis, Indiana, payable to the order of Armin C. Koehne, City Treasurer, for a sum of money which shall equal two and one-half (2½) per centum of the face or par value of the bonds bid for, or proposed to be purchased. The City Comptroller shall continue to receive all bids or proposals therefor at the office of the City Comptroller until twelve o'clock, noon, on the twenty-fifth day of September, 1903, at which time and place and between the said hour and two o'clock p. m. of said day, he shall open said bids or proposals. The City Comptroller shall award said bonds, or if he shall see fit a part or any number thereof, to the highest and best bidder therefor; but said Comptroller shall have the full right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or any less number of the bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply in the case of reoffering and readvertisement of said bonds, as hereinafter provided.

Sec. 4. In case the City Comptroller shall reject all bids submitted, or if he shall award only a part of said bonds, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix both the date and the time for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time, in like manner, to readvertise said bonds for sale until said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted, and there shall be no award of bonds by the Comptroller, he shall thereupon return to such successful bidder the certified check accompanying the same. If the Comptroller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such

non-payment shall be taken and deemed a breach of the contract for the purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to proceed to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of the bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Comptroller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or, at the option of the City Comptroller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the city of Indianapolis, Indiana, on the first day of October, 1903, or upon such other day or days as may be specified in the advertisement or readvertisement for proposals, or within such time thereafter as may be fixed by the Comptroller, who may extend the time for such delivery not more than ten days after the day or days specified as above provided; and the successful bidder, or bidders, shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Sec. 7. The bonds taken and paid for to the satisfaction of the City Comptroller shall be binding obligations upon said city of Indianapolis, according to their tenor and effect.

Sec. 8. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to Committee on Finance.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 44, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 44, 1903, was then ordered engrossed, read a third time and failed of passage for want of constitutional majority, by the following vote:

Ayes, 10, viz.: Messrs. Cooper, Crall, Eppert, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 8, viz.: Messrs. Berry, Holliday, Kelly, Meyer, Moriarity, Shea, Warweg and Wolsiffer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

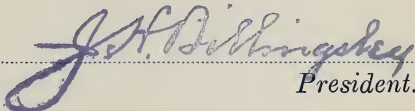
G. O. No. 45, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Department of Public Works, and fixing a time when the same shall take effect.

On motion of Mr. Wynne, G. O. 45, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Berry, the Common Council at 8:20 o'clock p. m., adjourned.


.....
President.

ATTEST:


.....

City Clerk.



REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, September 7, 1903.

The Common Council of the city of Indianapolis met in the Council Chamber, Monday evening, September 7, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 18 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 2, viz: Messrs. Shea and Spray.

The Clerk proceeded to read the Journal, whereupon Councilman Berry moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis.
INDIANAPOLIS, July 29, 1903.

To the President and Members of the Common Council and the Clerk of the City of Indianapolis:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 26, 1903: "An ordinance approving a certain contract granting the Pennsylvania Co. (operating the Indianapolis & Vincennes Railroad) permission to construct a sidetrack parallel with and thirteen (13) feet southeasterly from their present main track in and across Miller street, Minnesota street, Harding street, Blaine street and Reiser street, and all intervening alleys; said sidetrack to extend from a

junction with the present siding about twenty (20) feet east of Miller street southwestwardly about 3,530 feet to a connection with the sidetrack of the Indianapolis Desiccating Company at Sellars' farm in the city of Indianapolis, Indiana."

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, August 19, 1903.

To the President and Members of the Common Council and the Clerk of the City of Indianapolis:

Gentlemen—I have this day signed and approved the following ordinances:

Special Ordinance No. 2, 1903: "An ordinance to amend Special Ordinance No. 2, 1903, and to correct inaccuracies of description therein."

G. O. No. 39, 1903: "An ordinance approving a certain contract granting Harry M. Pitsenberger and Edward Orme the right to lay and maintain certain switch or sidetrack across Warman avenue, the first alley north of Bertha street and the first alley west of Warman avenue in the city of Indianapolis."

G. O. No. 40, 1903: "An ordinance making it unlawful for any person, firm or corporation to run or operate an electric car in or upon the streets of the city of Indianapolis, Indiana, with a lighted arc headlight on said car, without such headlight being screened in such manner as to reduce the brilliancy of such light fifty per cent.; providing penalties for the violation thereof; providing for the publication thereof; and fixing a time when the same shall take effect."

G. O. No. 42, 1903: "An ordinance to amend G. O. No. 35, 1903, and to correct inaccuracies of description therein."

G. O. No. 43, 1903: "An ordinance amending G. O. No. 9, 1903, and to correct inaccuracies of description therein."

Very truly yours,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT.

City of Indianapolis.

INDIANAPOLIS, September 1, 1903.

To the President and Members of the Common Council and the Clerk of the City of Indianapolis:

Gentlemen—I have this day signed and approved the following ordinance:

G. O. No. 45, 1903: "An ordinance transferring certain funds to certain funds from the appropriations heretofore made for the Department of Public Works, and fixing the time when same shall take effect."

Yours very truly,

CHARLES A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

FINANCE DEPARTMENT,

Office of the City Comptroller.

INDIANAPOLIS, September 7, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith present petition of Joseph Behringer, Administrator of estate of Joseph Pletzer, asking for the refunding of the sum of \$93.15, being balance due on city license for saloon at No. 123 N. Alabama street.

I recommend that an ordinance be passed making the appropriation asked for.

Very respectfully,

GEO. T. BREUNIG,

City Comptroller.

Petition for Rebate on Retail Liquor License of Joseph Pletzer, Deceased.

The undersigned, as administrator of the estate of Joseph Pletzer, deceased, respectfully shows to the Comptroller of the city of Indianapolis, that on the 6th day of January, 1903, Joseph Pletzer obtained a license to sell liquor at retail and paid to said city the license fee of two hundred and fifty dollars.

That on the 22d day of August, 1903, said Joseph Pletzer died; that no one has or is conducting a saloon under said license.

That there is due the estate of said deceased for the unexpired term of said license the sum of ninety-three and 15-100 dollars.

Your petitioner prays that said sum be appropriated by ordinance and a warrant issued for said sum.

JOSEPH BEHRINGER,

Administrator of Estate of Joseph Pletzer.

Subscribed and sworn to this 28th day of August, 1903.

HENRY SEYFRIED,

Notary Public.

(Seal.)

My commission expires April 22, 1907.

Which was read and referred to Committee on Finance.

Communication from City Comptroller:

FINANCE DEPARTMENT,

Office of the City Comptroller.

INDIANAPOLIS, September 7, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith submit communication from the Board of Public Safety, requesting the transfer of the sum of \$500 from the Fire Force "Pay-roll" account to the Fire Force "Repairs to Buildings" account; also the transfer of the sum of \$300 from the Fire Force "New Apparatus" account to the "Printing and Stationery" account.

After a thorough examination as to the needs of the department, I recommend that an ordinance be passed making the transfers as requested.

Respectfully submitted,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC SAFETY,

Office of the Board.

INDIANAPOLIS, September 3, 1903.

Geo. T. Breunig, City Comptroller:

Dear Sir—I am instructed by the Board of Public Safety to notify you that there will be a deficit in the "Repairs to Buildings" fund in the fire force, and recommend that the Council be asked to transfer five hundred (\$500) dollars from fire force "Pay-Roll" account to "Repairs to Buildings" fund.

This deficit being caused by building five coal sheds, one manure shed, building fences at two engine houses and repairs to front of headquarters, not figured when estimates were made for 1903.

Also recommend that three hundred (\$300) dollars be transferred from "New Apparatus" fund to "Printing and Stationery" fund.

This being necessary to have new Fire Alarm Code printed, as so many new boxes have been added in new territory, thus changing the whole running card in present use.

Very respectfully,

JOHN B. WOOD,

Secretary.

Which was read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Eppert, on behalf of Committee on Contracts and Franchises, to which was referred G. O. No. 53, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-fourth day of August, 1903, between the city of Indianapolis, by and

through its Board of Public Works and the Indianapolis, Logansport and Chicago Railway Company, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the city of Indianapolis, and to maintain the same and operate thereon; prescribing the terms and conditions upon which such rights are granted, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, September 7, 1903.

Mr. President:

Your Committee on Contracts and Franchises, to whom was referred G. O. No. 53, 1903, have had same under consideration and recommend that it do pass.

JNO. H. CRALL,
W. H. WHEELER,
B. F. WYSONG,
FRED W. EPPERT,
ED. G. SOURBIER,
GUSTAV J. T. MEYER.

Which was read and, on motion of Mr. Crall concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred App. O. No. 13, 1903: An ordinance appropriating the sum of one hundred thousand dollars for the use of the Department of Public Parks of the city of Indianapolis, and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, September 1, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred App. O. No. 13, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
FRED W. EPPERT,
LEW W. COOPER,
J. H. CRALL,
B. F. WYSONG.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Shea arrived and took his seat.

Mr. Wynne, on behalf of the majority of Committee on Finance, to which was referred G. O. No. 54, 1903: An ordinance authorizing the issue and sale of sixty-five (65) bonds of one thousand (\$1,000) each of the city of Indianapolis, Indiana,

payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend in the construction of a bridge where Northwestern avenue crosses Fall Creek in said city; prescribing the time and manner of the advertisement and sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; and fixing a time when same shall take effect.

Made the following report:

INDIANAPOLIS, September 3, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred G. O. No. 54, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE,
J. H. CRALL,
B. F. WYSONG,
LEW W. COOPER,
FRED W. EPPERT.

Which was read.

Mr. Moriarity, on behalf of minority Committee on Finance, to which was referred G. O. No. 54, 1903.

Made the following report:

INDIANAPOLIS, September 7, 1903.

Mr. President:

A minority of your Committee on Finance, to whom was referred G. O. No. 54, being an ordinance to provide for the issue and sale of bonds to the amount of \$65,000 for the construction of bridge across Fall Creek at Northwestern avenue, in the city of Indianapolis, respectfully submit the following, that they have considered said ordinance and recommend that the same in its present form do not pass.

In this connection we wish to say that we are not opposed to the construction of this bridge, but we believe that this ordinance should provide for the proper repair of all bridges in the city, many of which are in such condition as to be unsafe for public travel. We think the bond issue, if one should be made for bridge purposes, should be large enough to put all of these bridges in a safe condition for public travel. If the city can not now afford to build this new bridge and repair all other bridges, then the construction of a new bridge should be postponed and all the bridges in the city should be put in repair.

The viaduct on Virginia avenue, which cost many thousand dollars and which is an absolute necessity for the safety of the people, is so rapidly getting out of repair that its safety is beginning to be questioned by expert engineers, and immediate steps should be taken to put this valuable and necessary structure in repair.

This administration has already increased the permanent bonded indebtedness of the city to the extent of three hundred and twenty-five

thousand dollars. The issue provided in this ordinance will make the increase three hundred and ninety thousand which this administration has placed upon the people. It is urged that the bonded debt of the city is now too near the city's debt limit to permit of a bond issue that will provide for the construction of the new bridge and make repairs on all other bridges in the city. We do not believe this is true, because the new appraisement of real estate in the city shows such an increase that the city now has ample power to issue bonds to put all bridges in perfect condition. But if such is the case then it is utter folly to issue bonds for the construction of a new bridge and thus run the city so near its debt limit that it can not provide for the repairs of all bridges in the city. It seems very strange that it should be urged that the city can not provide for the repair of all bridges, when only two weeks ago the majority in this Council attempted to take from the Bridge Fund the sum of five thousand dollars and transfer it to the Repair Fund. We believe that this ordinance which provides for a bridge at Northwestern avenue and makes no provision for other bridges of the city is an unfair discrimination against other portions of the city, and we therefore recommend that the same do not pass.

JAMES D. MORIARITY,
JAMES E. BERRY.

Which was read.

Mr. Moriarity moved that the minority report be substituted for the majority report

Mr. Wynne moved to lay Mr. Moriarity's motion on the table.

Which motion carried by the following vote :

Ayes, 13, viz.: Messrs. Cooper, Crall, Eppert, Kelly, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 7, viz.: Messrs. Berry, Holliday, Meyer, Moriarity, Shea, Wahl, and Wolsiffer.

Mr. Wynne moved that the majority report be concurred in.

Which motion prevailed.

Mr. Sourbier, on behalf of Committee on Public Safety and Comfort, to which was referred G. O. No. 50, 1903: An ordinance requiring the Indianapolis Union Railway Company to station and and maintain a flagman at the crossing of West Market street and the tracks of said railway company, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, September 7, 1903.

To the President and Members of the Common Council:

Your Committee on Public Safety and Comfort, having under consideration G. O. No. 50, 1903, recommend that the same do pass.

ED. G. SOURBIER,
FRED W. EPERT,
ANDREW H. WAHL,
W. A. RHODES.

Which was read and, on motion of Mr. Sourbier, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 46, 1903: Ratifying and confirming a certain contract made and entered into on this 17th day of August, 1903, by and between the city of Indianapolis, through its Board of Public Works, and Reed & Graham, granting said Reed & Graham, the right to construct and maintain a switch or sidetrack across the first alley east of Cornell avenue, in the city of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, September 7, 1903.

Mr. President:

Your Committee on Railroads, to whom was referred G. O. No. 46, have had same under consideration and recommend that same do pass.

FRED W. EPPERT,
B. F. WYSONG,
ED. G. SOURBIER,
W. H. WHEELER,
JNO. WOLSIFFER.

Which was read and, on motion of Mr. Eppert, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

Appropriation Ordinance No. 16, 1903: "An ordinance appropriating the sum of ninety-three dollars and fifteen cents (\$93.15) with which to pay a certain claim made by virtue of Section 8 of an act entitled 'An act to better regulate and restrict the sale of intoxicating and malt liquors,' etc., approved March 11, 1895, and fixing the time when the same shall take effect."

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the sum of ninety-three dollars and fifteen cents (\$93.15) be and the same is hereby appropriated to pay the following claim made under and by virtue of Section 8 of an act of the General Assembly of the State of Indiana, entitled "An act to better regulate and restrict the sale of intoxicating liquors," approved March 11, 1895:

Joseph Behringer, Administrator of the estate of Joseph Pletzer, deceased, the sum of ninety-three dollars and fifteen cents (\$93.15).

Sec. 2. This ordinance shall be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business, the following ordinance was introduced:

By Mr. Wynne:

G. O. No. 55, 1903: "An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Fire Force of the Department of Public Safety, and fixing a time when the same shall take effect."

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby transferred the sums herein named from appropriations heretofore made for the use of the Fire Force, Department of Public Safety, viz.:

Five hundred dollars (\$500) from the Fire Force "Pay-roll" account to the "Repairs to Buildings" account. Three hundred dollars (\$300) from the "New Apparatus" account to the "Printing and Stationery" account.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Mr. Negley:

G. O. No. 56, 1903: "An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the city of Indianapolis, Indiana."

Whereas, Heretofore, to wit, on the 28th day of July, 1902, the Indianapolis Union Railway Company filed their petition before the Board of Public Works of the city of Indianapolis as follows:

PETITION.

INDIANAPOLIS, July 28, 1902.

To the Board of Public Works of the city of Indianapolis:

Gentlemen—The undersigned, the Indianapolis Union Railway Company, respectfully petition your honorable Board, asking permission to construct and maintain one switch or sidetrack from its main line in and along its present right-of-way and across the first alley east of Rural street running north from Roosevelt avenue, more particularly described as follows: Beginning at a point in the west line of the first alley east of Rural street, the said point being $8\frac{1}{2}$ feet north of the

north line of lot No. 28 of S. and B. F. Morris's Oak Hill Addition; thence east to a point in the east line of said alley, the same point being 8½ feet north of the north line of lot No. 33 of S. and B. F. Morris's Oak Hill Addition. All as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

Your petitioner prays that the privilege and authority herein requested shall be granted upon such terms and conditions as may hereafter be agreed upon by contract.

Respectfully submitted,

THE INDIANAPOLIS UNION RAILWAY CO.,

By A. A. ZION,

Superintendent.

Now Therefore, This agreement, made and entered into this 29th day of August, 1902, by and between the Indianapolis Union Railway Company, of the city of Indianapolis, county of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part,

Witnesseth: That the party of the first part, being desirous of securing a right-of-way for a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue, in the city of Indianapolis, which is more specifically described in the petition of the said party hereto attached and made a part of this contract, hereby covenants and agrees and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch intersects the first alley east of Rural street running north from Roosevelt avenue shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall at no time be stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, at the pleasure and written order of said Board, to take up and remove said sidetrack or switch, and upon its failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch, or causing the same to be done, said Board shall in nowise become a trespasser.

(5) The party of the first part agrees to pave between said sidetrack or switch to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause the same to be done, at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds itself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said sidetrack or switch, and to pay any judgment, with costs, that may on that account be rendered against it or said city.

(7) Any violation of any provisions of this instrument by said party of the first part or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract: Provided, however, That the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the United States census last preceding, and matters connected therewith, and declaring an emergency," approved March 6, 1891, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain a single switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the city of Indianapolis, as follows:

Beginning at a point in the west line of the first alley east of Rural street, the said point being $8\frac{1}{2}$ feet north of the north line of lot No. 28 of S. and B. F. Morris's Oak Hill Addition; thence east to a point in the east line of said alley, the said point being $8\frac{1}{2}$ feet north of the north line of lot No. 33 of A. and B. F. Morris's Oak Hill Addition, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In Witness Whereof, We have hereunto set our hands this 29th day of August, 1902.

THE INDIANAPOLIS UNION RAIL-
WAY COMPANY,

By JAMES McCREA, Pres.,

Party of the First Part.

CITY OF INDIANAPOLIS,

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works,

Party of the Second Part.

Approved as to form:

Baker & Daniels, Attorneys I. U. Ry. Co.

And, whereas, Said contract has been submitted by said Board of Public Works to the Common Council of the city of Indianapolis, Indiana, for its consideration and action; now, therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said contract above set forth be and the same is hereby in all things ratified, confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Railroads.

ORDINANCES ON SECOND READING.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

App. O. No. 13, 1903: An ordinance appropriating the sum of one hundred thousand dollars for the use of the Department of Public Parks of the city of Indianapolis, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 13, 1903, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 19, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 1, viz.: Mr. Moriarity.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 54, 1903: An ordinance authorizing the issue and sale of sixty-five (65) bonds of one thousand (\$1,000) dollars each of the city of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the sinking fund of said city, or as may be required by law, in order to raise money to expend in the construction of a bridge where Northwestern avenue crosses Fall Creek in said city; prescribing the time and manner of the advertisement and sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; and fixing a time when same shall take effect.

On motion of Mr. Wynne, G. O. No. 54, 1903, was then ordered engrossed, read a third time, add passed by the following vote:

Ayes, 13, viz.: Messrs. Cooper, Crall, Eppert, Kelly, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 7, viz.: Messrs. Berry, Holliday, Meyer, Moriarity, Shea, Wahl, and Wolsiffer.

Mr. Holliday gave notice that at the next regular meeting, he would move a reconsideration of the vote by which G. O. No. 54 was passed.

As Mr. Holliday voted in the negative, and the vote had been announced, President Billingsley ruled the notice out of order.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 46, 1903: Ratifying and confirming a certain contract made and entered into this 17th day of August, 1903, by and between the city of Indianapolis, through its Board of Public Works, and Reed & Graham, granting said Reed & Graham the right to construct and maintain a switch or sidetrack across the first alley east of Cornell avenue, in the city of Indianapolis, Indiana.

On Motion of Mr. Eppert, G. O. No. 46, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes, 1, viz.: Mr. Kelly.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 50, 1903: An ordinance requiring the Indianapolis Union Railway Company to station and maintain a flagman at the crossing of West Market street and the tracks of the said railway company, in the city of Indianapolis, Indiana.

On motion of Mr. Sourbier, G. O. 50, 1903, was then ordered engrossed as amended, read a third time, and passed by the following vote:

Ayes, 20, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Crall, the following entitled ordinance was taken up and read a second time:

G. O. No. 53, 1903: An ordinance ratifying, confirming and approving a certain contract and agreement made and entered into on the twenty-fourth day of August, 1903, between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Logansport and Chicago Railway Company, whereby said railway is authorized to construct its track, or tracks, along and across certain streets, alleys and public places in the city of Indianapolis, and to maintain the same and operate thereon; prescribing the terms and conditions upon which such rights are granted; and fixing a time when the same shall take effect.

On motion of Mr. Crall, G. O. No. 53, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

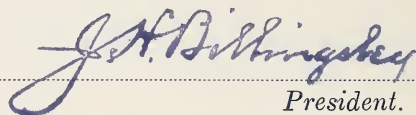
Ayes, 16, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 4, viz.: Messrs. Shea, Wahl, Warweg and Wolsiffer.

Mr Negley moved that the vote by which G. O. No. 53, 1903, was passed be reconsidered.

On motion of Mr. Crall, Mr. Negley's motion was laid on the table.

On motion of Mr. Berry, the Common Council, at 8:40 o'clock, p. m., adjourned.


.....
President.

ATTEST:


.....
City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, September 21, 1903.

The Common Council of the city of Indianapolis met in the Council Chamber, Monday evening, September 21, 1903, at 8 :00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 17 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 3, viz: Messrs. Holliday, Spray and Wahl.

The Clerk proceeded to read the Journal, whereupon Councilman Moriarity moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis,
Indianapolis, Ind., September 8, 1903.

To the President and Members of the Common Council:

Gentlemen—I have this day signed and approved the following ordinances:

G. O. 46, 1903: "An ordinance ratifying and confirming a certain contract, made and entered into this 7th day of August, 1903, by and between the city of Indianapolis, through its Board of Public Works, and Reed & Graham, granting said Reed & Graham the right to construct and maintain a switch or side-track across the first alley east of Cornell avenue in the city of Indianapolis, Indiana."

G. O. 50, 1903: "An ordinance requesting the Indianapolis Union Railway Company to station and maintain a flagman at the crossing

of West Market street and the tracks of the said railway company in the city of Indianapolis, Indiana."

G. O. 53, 1903: "An ordinance ratifying and confirming a certain contract between the city of Indianapolis, by and through its Board of Public Works, and the Indianapolis, Logansport & Chicago Railway Company, whereby said railway company is authorized to construct its track along and across certain streets, alleys and public places in the city of Indianapolis, and to maintain the same and operate thereon; prescribing the terms and conditions upon which said rights are granted; fixing a time when same shall take effect."

G. O. 54, 1903: "An ordinance authorizing the issue and sale of sixty-five (65) bonds of \$1,000 each, of the city of Indianapolis, in order to raise money to expend in the construction of a bridge where Northwestern avenue crosses Fall Creek; prescribing the time and manner of advertisement and the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale; fixing the time when same shall take effect."

App. O. 13, 1903: "An ordinance appropriating the sum of \$100,000 for the use of the Department of Public Parks of the city of Indianapolis, and fixing the time when same shall take effect."

Very truly yours,

CHARLES A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

To the President and Members of the Common Council of the City of Indianapolis:

Gentlemen—I herewith submit to your honorable body the estimates of the amounts of money required during the year 1904 for the various departments of the city government.

In submitting these estimates of Hon. George T. Breunig, City Comptroller, I desire especially to direct your attention to the fact that notwithstanding the growth of the city; that notwithstanding the increased demands upon the city treasury incident to such growth; that notwithstanding the large amounts of money provided for the various departments for the making of such improvements and repairs as are required not only to maintain the present high standard of all forms of city property, but also to meet the legitimate demands of the municipal government, that the amounts of money called for by the various departments are in this estimate \$26,559.55 less than the amounts appropriated for the present year of 1903. Reference to the estimates of the comptroller will show that the amount of money required for city purposes during the year 1904 will be \$1,365,552.25, and that the tax duplicate against which this sum is laid shows a total valuation, less exemptions, of \$143,687.570. Placing upon the duplicate a levy of seventy-eight cents will produce in addition to the poll tax and miscellaneous receipts, less the percentage charged for delinquen-

cies and auditor's certificates, the sum of \$1,365,906.12. Believing that good business management demands that no more money be collected from the people than is actually required to carry on the expenses of the city government, I therefore recommend to your honorable body that the levy for city purposes for the year 1904 be fixed at seventy-eight cents, as compared with eighty-four cents during the year 1903. To this levy of seventy-eight cents, under the law, it is necessary that there shall be added two cents on account of the sinking fund and one cent each on account of the police and firemen's pension funds.

I feel that the people of Indianapolis are to be congratulated upon this condition of affairs, and call your attention, and through you the attention of the people of Indianapolis, to the fact that this reduction in the amount of money demanded from each hundred dollars of property in the city is an absolute relief to the extent of six cents on each hundred dollars of valuation, and through no manipulation of figures can it be honestly made to appear that the reduction thus recommended does not accrue directly to the benefit of the taxpayer.

In my annual message to your honorable body in September, 1902, in recommending an increase in the tax levy, I stated my reluctance to lay upon the people this additional burden and in such connection said:

"I have always been and am now a believer in the lowest possible taxation consistent with good business management, and consider it the duty of every public official charged with the expenditure of public money to exercise the same care and economy in such expenditure as he would if he were disbursing his own funds. * * * But I have never been an advocate of the policy of borrowing today to meet current expenses and obligations of tomorrow, thus not only spending the substance of today, but mortgaging the future. * * * I believe it is the best policy for a municipality to be managed like any other business enterprise, and it would be considered bad business management for any corporation, or mercantile establishment, to borrow money to meet current expenses rather than curtail dividends to stockholders, or call upon such stockholders to advance funds to maintain the solvency of the enterprise."

I take it that the wisdom of this policy thus declared of establishing a tax levy commensurate with the needs of the city government; that the wisdom of calling upon the stockholders, in this case the taxpayers, for sufficient funds to maintain their solvency, rather than give them a fictitious benefit of a low tax levy with resulting bond issues and temporary loans, has been vindicated by the logic of events. Public property has been brought back to that condition in which it should always be maintained, and in which it should have been maintained in the years before the commencement of this administration.

In the same communication to your honorable body the following pledge was given:

"The utmost economy shall continue to be practiced in every department, and if possible by the most careful management to save any money from the amounts appropriated such saving shall be made. It is my purpose to so conduct the financial affairs of the City of Indianapolis that at the expiration of my term of office I shall not only have placed the city in the physical condition in which it should be found at all times, but that there shall be a material change in the condition of the city treasury."

This pledge of economy has been kept. This pledge of good business management has always been kept in mind, and the reduction now recommended, by which there will not only be a saving in the gross amount collected, but a saving of six cents to every owner of one hundred dollars worth of property—and this saving to be upon

each one hundred dollars he owns—comes as the fruit of this pledge, and comes not through any neglect of any department of the city government, or any form of city property, but comes with the physical condition of the city vastly improved over its condition one year ago.

An examination of the figures submitted to your honorable body will demonstrate that material reductions have been made in the amounts of money appropriated to the department of finance and to the department of public works, such decrease aggregating \$55,593.50, while the increases recommended have been to the department of public health, the department of public safety and the department of public parks, such increase aggregating \$29,033.95, showing, as above stated, a net decrease in public expenditures during the year 1904, as compared with 1903, notwithstanding the increased demands incident to the growth of the city, of \$26,559.55. The increases which have been consented to have been rendered necessary by the classification of the members of the fire department and the readjustment of salaries incident to such classification. The increase to the board of public health is only such increase as is incident to the additional work thrown upon such office by the annexation of new territory. To the department of public parks has been granted an increase of \$6,500, bringing the total appropriation for such department up to \$100,080, as compared with an appropriation of \$79,025 appropriated by the preceding administration.

I believe that every citizen of Indianapolis will approve the policy of expending upon the park property of the city every dollar which can be rendered available, and I recommend this increase, satisfied that its wisdom will be recognized and the increased burden cheerfully assumed.

I also take pleasure in directing your attention to the fact that from the appropriation made to this department for 1903, not only have the park lands of the city received the same careful attention; not only has the work of improvement and development gone steadily forward along fixed lines; but in addition, as a result of the economy practiced by this department, as well as others, we have been able during the past year to apply from the moneys appropriated in September, 1903, approximately six thousand dollars towards the conversion of the grounds surrounding the city hospital into an additional park, thus conferring not only upon the people of that section of the city the benefits arising from such breathing spots, but bringing to the stricken citizens of Indianapolis—patients of such hospital—the pleasures and benefits arising from such parks.

In the estimates made for the department of finance it will be observed that there has been provided an appropriation of twenty-five hundred dollars for the re-codification of the laws and ordinances of the City of Indianapolis. I consider this work absolutely essential. The last codification of these ordinances was had during the year 1894, and at present it is practically impossible without great research for any person to know just what acts of the Common Council are in force, have been amended or repealed. Frequent requests have been made of the city by other municipalities for an exchange of municipal codes. It has been impossible for the City of Indianapolis to comply with these requests. I recommend the appropriation, believing that the same is absolutely necessary, not only for the accommodation of special classes of our community, but also for the proper transaction of public business.

The increase granted to the Department of Public Safety is partly chargeable to the fact that it is the purpose during the year 1904 to purchase a new fire engine to be placed in the department in lieu of the present engine maintained in Haughville. The many large fac-

tories located in this portion of the city; the hundreds of thousands of dollars there invested; the employment thus secured and guaranteed to so many of our citizens, demand that this protection shall be afforded at the earliest possible moment. The estimates of such department also provide for the purchase of such additional apparatus as may be required to properly equip a new engine house, the construction of which, notwithstanding the reductions, is provided for in the estimates of the Board of Public Works. Such engine house it is the purpose of this administration to erect at the southern end of East street in Garfield Park. I consider the immediate construction of this engine house absolutely required by the conditions prevailing in the southern section of the city. Here, also, can be found many large factories with large investments and affording employment to a large number of men; and here we also find a broad portion of our city absolutely devoid of fire protection, except such as is afforded by the houses situated on Prospect street or Morris street at Madison avenue, or at South West street. These improvements should not be delayed.

The policy of economy and retrenchment which has characterized the past two years should continue in the future management of public affairs, and thus not only can public business be transacted along the same lines as private business; not only can the municipal household expenses be paid from current revenues; not only can the repairs required to maintain the high standard of efficiency in all city departments, but further reductions in the tax levy can be secured in succeeding years.

Respectfully submitted,
CHARLES A. BOOKWALTER,
Mayor.

DEPARTMENT OF FINANCE,
Office of City Comptroller.

Hon. Charles A. Bookwalter, Mayor of City of Indianapolis:

Sir—I herewith submit estimates for the several city departments for the fiscal year commencing January 1st, and ending with December 31st, 1904. As revised by me these estimates make a grand total of \$1,365,552.25.

I estimate the total receipts of the city for the year 1904 from all sources, other than taxes, will amount to \$300,000.00, leaving the amount to be raised from taxes \$1,065,552.25.

The certificate of the County Auditor now on file in my office shows the assessed value of the taxable property of the City of Indianapolis for the year 1903 to be as follows:

Real estate, improvements and personal property.....	\$147,441,380
Less mortgage exemptions.....	3,753,810

Net appraisement.....	\$143,687,570
Number of polls, 38,487.	

I estimate that it will require a tax levy of seventy-eight (78) cents on each \$100.00 of taxable property returned for taxation, and fifty (50) cents on each poll to raise the amount hereinbefore set out.

Additional tax levies are required by acts of the General Assembly of the State of Indiana as follows: One (1) cent on each \$100.00 of taxable property for the Firemen's Pension Fund; one (1) cent on each \$100.00 for the Police Pension Fund, and two (2) cents on each \$100.00 for City Sinking Fund.

Very Respectfully,

GEO. T. BREUNIG,
City Comptroller.

Indianapolis, Indiana, September 21, 1903.

ESTIMATES FOR 1904 AS REVISED BY THE CITY COM-
TROLLER—DEPARTMENT OF FINANCE.

	Revised Estimate
	1904.
Assessing city property.....	\$2,500 00
Blank books, stationery and supplies.....	2,000 00
Indianapolis Market House bonds of 1903.....	3,000 00
Indianapolis Fire Department and City Hospital bonds..	14,000 00
Interest and exchange, city bonded debt.....	92,857 50
Interest, Brightwood bonded debt.....	840 00
Interest, Haughville bonded debt.....	640 00
Interest, Irvington bonded debt.....	610 25
Interest, Mt. Jackson bonded debt.....	3 00
Interest, West Indianapolis bonded debt.....	3,780 00
Miscellaneous expense, city offices.....	3,500 00
Inspector of Scales, Weights and Measures, expense ac- count	300 00
Special Police Judge.....	150 00
Codification of laws and ordinances.....	2,500 00
Salaries as follows:	
Twenty-one Councilmen at \$150 per annum.....	3,150 00
Sergeant-at-Arms Common Council.....	100 00
Police Judge.....	2,500 00
Mayor	4,000 00
Mayor's Clerk.....	1,200 00
City Clerk.....	3,000 00
Deputy City Clerk.....	1,200 00
City Attorney.....	4,000 00
First Assistant City Attorney.....	2,500 00
Second Assistant City Attorney.....	900 00
City Attorney's Stenographer.....	600 00
City Comptroller.....	3,000 00
Deputy City Comptroller.....	1,200 00
Chief Clerk to City Comptroller.....	1,200 00
Bookkeeper to City Comptroller.....	1,000 00
Extra Clerk to City Comptroller.....	1,000 00
Board of Public Works, 3 members	6,000 00
Clerk Board of Public Works.....	1,200 00
Assistant Clerk Board of Public Works.....	720 00
Board of Public Safety, three members.....	1,800 00
Clerk Board of Public Safety.....	1,200 00
Building Inspector.....	1,800 00
Board of Public Health and Charities, three members.	300 00
City Sanitarian	2,000 00
Clerk Board of Public Health and Charities.....	1,000 00
City Treasurer.....	8,500 00
County Auditor.....	1,000 00
Inspector of Scales, Weights and Measures, and Assist- ants	2,660 00
Total	\$185,410 75

DEPARTMENT OF LAW.

	Revised Estimate
	1904.
Judgments, compromises and costs.....	\$6,000 00
Change of venue cases.....	500 00
Transcripts, printing of briefs, stationery, etc.....	400 00
Office rent and expenses.....	500 00
Law Library.....	300 00
Total	\$7,700 00

DEPARTMENT OF PUBLIC WORKS.

	Revised Estimate
Funds.	1904.
Assessments, erroneous.....	\$500 00
Assessments, payments of.....	500 00
Assessment Roll Clerks, salaries.....	5,880 00
Blank Books, printing and stationery.....	3,500 00
Bridges	10,000 00
Bridge gang pay roll.....	7,000 00
Brightwood water works.....	5,000 00
Cisterns	500 00
City Civil Engineer, accounts.....	2,000 00
City Civil Engineer, salaries.....	22,500 00
City Hall accounts.....	4,300 00
City Hall Janitors.....	2,520 00
Electric, Gas and Vapor Lights.....	125,000 00
Fountains and wells.....	500 00
Furniture and fixtures.....	1,500 00
Garbage, collection and delivery of.....	34,600 00
Garbage and night soil disposal and Sellar's farm.....	12,200 00
Incidental expenses	500 00
Public buildings and repairs.....	12,500 00
Sewers	1,000 00
Sewer gang pay roll.....	10,500 00
Sweeping and cleaning improved streets.....	72,500 00
Streets, maintenance and repair of.....	25,000 00
Street openings and vacations.....	200 00
Street repair accounts.....	3,500 00
Streets, repairing permanently improved.....	40,000 00
Streets, sprinkling unimproved.....	45,000 00
Telephones	500 00
Tomlinson Hall, accounts.....	2,000 00
Tomlinson Hall, janitors.....	2,500 00
Water	100,000 00
Payment of appraisers for public improvements.....	1,500 00
Total	\$555,200 00

DEPARTMENT OF PUBLIC SAFETY.

Estimates of Fire Force. Pay Roll Account.

No.	Revised Estimate	
	1904.	
1 Chief Fire Engineer.....	\$2,200	00
1 First Assistant Chief.....	1,400	00
1 Second Assistant Chief.....	1,320	00
1 Veterinarian	600	00
1 Chief's Clerk.....	1,020	00
1 Superintendent of Fire Alarm.....	1,400	00
37 Captains, at \$1,020.....	37,740	00
11 Engineers, at \$1,000.....	11,000	00
141 First Grade Firemen, at \$912.50.....	128,662	50
17 Second Grade Firemen, at \$821.25.....	13,961	25
4 Third Grade Firemen, at \$730.....	2,920	00
8 First and Second Grade Firemen.....	6,877	25
12 Substitutes, at \$480.....	5,760	00
236 Total	\$214,861	00

Miscellaneous Accounts, Fire Force.

	Revised Estimate	
	1904.	
Fire Alarm Telegraph Department.....	\$3,000	00
Fuel, gas and coal.....	3,500	00
Furniture	1,000	00
Harness and repairs.....	500	00
Horse feed.....	10,000	00
Horse shoeing.....	2,500	00
Hose	5,000	00
Horses, purchase of.....	3,000	00
Illuminating gas.....	1,750	00
Miscellaneous	1,250	00
New apparatus.....	7,000	00
Printing and stationery.....	150	00
Repairs to apparatus.....	2,000	00
Repairs to buildings.....	2,500	00
Repairs to cisterns.....	400	00
Soda and acids.....	350	00
Telephone service.....	1,500	00
Total	\$45,400	00

ESTIMATES FOR POLICE FORCE.

Pay Roll Account.

No.	Revised Estimate	
	1904.	
1 Superintendent of Police.....	\$2,000	00
2 Captains, at \$1,080.....	2,160	00
1 Surgeon	900	00
14 Sergeants, at \$900.....	12,600	00
1 Bailiff	800	00
1 Captain of Detectives.....	1,150	00
12 Detectives, at \$912.50.....	10,950	00
✓ 1 Humane Inspector.....	912	50
✓ 1 License Inspector.....	912	50
✓ 1 Superintendent's Clerk.....	912	50
✓ 1 Bertillon Clerk.....	912	50
✓ 1 Detective's Clerk	720	00
✓ 3 Telephone Operators, at \$821.25.....	2,463	75
✓ 1 Custodian	821	25
✓ 1 Electrician	821	25
✓ 2 Engineers, at \$821.25.....	1,642	50
✓ 2 Matrons at \$600.....	1,200	00
✓ 3 Janitors, at \$600.....	1,800	00
✓ 1 Children's Guardian Officer.....	486	00
148 Patrolmen, at \$821.25.....	121,545	00
198 Total	\$165,709	75

POLICE FORCE ACCOUNTS.

Funds.	Revised Estimate	
	1904.	
Building repairs.....	\$500	00
Bicycle and repairs.....	300	00
Cow Pounds	100	00
Electrical Department	500	00
Emergency Police	500	00
Fuel, gas and coal.....	1,500	00
Gas and electric light.....	1,500	00
Horses	500	00
Horse feed	800	00
Incidentals	1,500	00
Prisoners' meals	1,500	00
Secret service	400	00
Telephone service	1,000	00
Wagons and repairs.....	500	00
Total	\$11,100	00

BOARD OF SAFETY OFFICE FUNDS.

	Revised Estimate	
	1904.	
Incidentals	\$500	00
Printing and stationery.....	200	00
Total	\$700	00

SOUTH SIDE MARKET FUNDS.

	Revised Estimate
	1904.
Salaries	\$900 00
Gas and electric light.....	200 00
Fuel	150 00
Repairs to buildings	150 00
Current expenses	100 00
Total	\$1,500 00

EAST MARKET FUNDS.

	Revised Estimate
	1904.
Salaries	\$5,140 00
Cleaning buildings and grounds.....	1,080 00
Current expenses	200 00
Gas and electricity.....	5,050 00
Printing and stationery	30 00
Repairs to buildings.....	500 00
Total	\$12,000 00

RECAPITULATION.

	Revised Estimate
	1904.
Fire Force pay-roll.....	\$214,861 00
Fire Force Miscellaneous Accounts.....	45,400 00
Police Force pay-roll.....	165,709 75
Police Force Miscellaneous Accounts.....	11,100 00
Board of Safety Office Funds.....	700 00
South Side Market Funds.....	1,500 00
East Market Funds.....	12,000 00
Total	\$451,270 75

DEPARTMENT PUBLIC HEALTH AND CHARITIES.

City Dispensary.

	Revised Estimate
	1904.
Drugs	\$1,700 00
Dry Goods	200 00
Gas, artificial	10 00
Groceries	40 00
Incidentals	300 00
Laundry	80 00
Printing and stationery.....	120 00
Surgical supplies	350 00
Telephone	160 00
Transportation	60 00
Salaries	4,127 00
Total	\$7,147 00

City Hospital.

Revised Estimate

	1904.
Drugs	\$2,000 00
Dry Goods	1,800 00
Electrical supplies	150 00
Engine room supplies.....	250 00
Furniture	400 00
Fuel	5,000 00
Gas, artificial	100 00
Hardware	200 00
Horseshoeing	100 00
Incidentals	700 00
Laundry supplies	300 00
Paints and Painting.....	300 00
Plumbing supplies	300 00
Printing and stationery.....	300 00
Provisions	11,800 00
Queensware	300 00
Repairs	800 00
Stable supplies	400 00
Surgical supplies	1,350 00
Telephone (New Telephone system).....	660 00
Nursing	2,500 00
Flower Mission Hospital	2,000 00
Salaries as follows—	
Superintendent	\$1,500 00
Clerk	360 00
Engineer	821 25
Assistant Engineer	500 00
Night Engineer	600 00
Laundryman	420 00
Superintendent of Nurses	720 00
Assistant Superintendent of Nurses.....	480 00
Male Orderly	300 00
Assistant Male Orderly	240 00
Female Orderly	144 00
One dishwasher	144 00
Three dining-room girls	456 00
Seamstress	144 00
Four Laundresses	720 00
Three Cooks	576 00
Driver	300 00
Janitor	480 00
Four Internes	900 00
Matron	360 00
	10,165 25
Total	\$41,875 25

Health Office.

	Revised Estimate
	1904.
City ambulance and driver (new ambulance).....	\$1,600 00
Cutting weeds	1,000 00
Horse board	360 00
Incidentals	300 00
Laboratory	1,000 00
Prevention of contagious diseases.....	5,000 00
Printing and stationery	500 00
Public charity	1,200 00
Telephone	160 00
Salaries	5,748 50
Total	\$16,868 50

RECAPITULATION.

	Revised Estimate
	1904.
City Dispensary	\$7,147 00
City Hospital	41,875 25
Health Office	16,868 50
Total	\$65,890 75

DEPARTMENT OF PUBLIC PARKS.

Garfield Park—Maintenance	\$12,950 00
Garfield Park—Improvements	5,000 00
Military Park—Maintenance	3,000 00
University Square—Maintenance	1,500 00
St. Clair Square and Ft. Wayne Triangle—Maintenance...	1,250 00
Hendricks street, Fletcher avenue, Oriole and South streets—Maintenance	1,250 00
Fletcher Place and E. Eleventh street centers—Main- tenance	800 00
Greenlawn—Maintenance	2,500 00
Morton Place—Maintenance	900 00
Morris Park—Maintenance	400 00
Office Salaries: draughtsman, telephones, printing, etc...	7,530 00
Brookside—Maintenance	4,500 00
Brookside—Improvements	6,000 00
Indianola Square—Maintenance	900 00
Highland Square—Maintenance	1,500 00
Highland Square—Improvements	500 00
Spades Place and Elmwood—Maintenance.....	2,000 00
Spades Place and Elmwood—Improvements.....	2,000 00
Riverside Park—Maintenance	18,500 00
Riverside Park—Improvements	25,000 00
McCarty Place—Maintenance	300 00
Highland Place Centers—Maintenance.....	300 00
Flower Mission Park.....	1,500 00
Total	\$100,080 00

RECAPITULATION.

	Revised Estimate 1904.
To be appropriated for maintenance.....	\$54,050 00
To be appropriated for improvements.....	38,500 00
To be appropriated for office.....	7,530 00
Total	\$100,080 00

GRAND RECAPITULATION.

Department of Finance	\$185,410 75
Department of Law	7,700 00
Department of Public Works	555,200 00
Department of Public Safety	451,270 75
Department of Public Health and Charities.....	65,890 75
Department of Public Parks	100,080 00
Grand Total	\$1,365,552 25

Which was read and referred to Committee on Finance.

REPORTS FROM CITY OFFICERS.

Communication from City Comptroller:

DEPARTMENT OF FINANCE,

Office of City Comptroller,

Indianapolis, September 21, 1903.

To the President and Members of the Common Council:

Gentlemen—I herewith present communication from the Department of Public Works requesting the transfer of the sum of \$5,000 from the appropriation heretofore made for the account known as "Bridge" fund to the account known as the "Maintenance and repair of streets, including street repair pay-roll" fund. I recommend that an ordinance be passed making the transfer as requested.

Respectfully,

GEO. T. BREUNIG,

City Comptroller.

DEPARTMENT OF PUBLIC WORKS,

Office of the Board,

Indianapolis, Sept. 21, 1903.

Hon. George T. Breunig, City Comptroller:

Dear Sir—You are hereby requested to recommend the transfer of the sum of five thousand dollars (\$5,000) from the "Bridge Fund" to the "Maintenance and Repair of Streets, including Street Repair Pay-Roll, Fund."

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Finance.

REPORTS FROM OFFICIAL BOARDS.

Communication from Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,

Office of the Board.

Indianapolis, September 21, 1903.

The President and Members of the Common Council:

Gentlemen—We transmit for your consideration and action thereon a general ordinance ratifying and confirming a certain contract this day made and entered into by and between the City of Indianapolis and A. Minter, granting said Minter the right to construct, lay and maintain one switch or sidetrack across Georgia street and California street, in the city of Indianapolis.

Respectfully,

HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works.

Which was read and referred to Committee on Railroads.

REPORTS FROM STANDING COMMITTEES.

Mr Wynne, on behalf of the Committee on Finance, to which was referred Appropriation Ordinance No. 16, 1903: "An ordinance appropriating the sum of ninety-three dollars and fifteen cents (\$93.15) with which to pay a certain claim made by virtue of Section 8 of an act entitled 'An act to better regulate and restrict the sale of intoxicating and malt liquors,' etc., approved March 11, 1895, and fixing the time when the same shall take effect."

Made the following report:

INDIANAPOLIS, September 15, 1903.

Mr. President:

Your Committee on Finance, to whom was referred Appropriation Ordinance No. 16, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE.

LEW W. COOPER.

J. H. CRALL.

FRED. W. EPPERT.

JAMES D. MORIARTY.

JAMES E. BERRY.

B. F. WYSONG.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of the Committee on Finance, to which was referred G. O. No. 55, 1903: "An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Fire Force of the Department of Public Safety, and fixing a time when the same shall take effect."

Made the following report:

INDIANAPOLIS, September 15, 1903.

Mr. President:

Your Committee on Finance, to whom was referred General Ordinance No. 55, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE.
LEW W. COOPER.
J. H. CRALL.
FRED. W. EPPERT.
B. F. WYSONG.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 56, 1903: "An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the city of Indianapolis, Indiana."

Made the following report:

INDIANAPOLIS, September 21, 1903.

Mr. President:

Your Committee on Railroads, to whom was referred General Ordinance 56, 1903, have had same under consideration and recommend that same do pass.

FRED. W. EPPERT.
W. H. WHEELER.
B. F. WYSONG.
ED. G. SOURBIER.
JAS. WOLSIFFER.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Eppert, on behalf Committee on Railroads, to which was referred G. O. No. 47, 1903: An ordinance approving a certain contract granting the Peoria & Eastern Railway Company the right to lay and maintain certain railroad tracks in the city of Indianapolis under stipulated terms and agreements.

Made the following report:

September 21, 1903.

Mr. President:

We, your Committee on Railroads, to whom was referred General Ordinance No. 47, 1903, beg leave to report that upon examination of

the premises described in said ordinance and contract, we find that the evident intention is to place a switch-frog at the east line of Station street, thus bringing the switch from the old P. & E. wye in Station street and thereby making a dangerous crossing, both as to roadway and sidewalk. This we think should not be done.

We are of the opinion that the old wye should be removed about eight feet south of its present location, which will enable the placing of the switch-frog on the west property line of Station street. This can be easily done, as the ground between the P. & E. wye and the main track all belongs to the railroad company.

We think the above described changes very necessary and therefore recommend that said ordinance do not pass.

Respectfully submitted,

FRED. W. EPPERT.
W. H. WHEELER.
B. F. WYSONG.
ED. G. SOURBIER.
JAS. WOLSIFFER.

Which was read and, on motion of Mr. Eppert, concurred in.

INTRODUCTION OF APPROPRIATION ORDINANCES.

Under this order of business the following ordinances were introduced:

By Mr. Wynne:

Appropriation Ordinance No. 17, 1903: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the city of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal years, beginning January 1, 1904, and ending December 31, 1904, including all outstanding claims and obligations which become due and payable within said period and fixing a time when the same shall take effect.

Section 1. Be it Ordained by the Common Council of the City of Indianapolis, Indiana, That there be and is hereby appropriated out of the funds of the city of Indianapolis, Indiana, for the purpose of defraying the current expenses of the government of said city, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1904, and ending December 31, 1904, including all outstanding claims and obligations existing on the first day of such fiscal year, which may become due and payable before its expiration, the following sums of money for the different departments of said city, and for the several purposes as hereinafter set forth:

1. For the assessment of city property, the sum of two thousand five hundred (\$2,500) dollars.
2. For books, stationery and supplies of the Finance Department, the sum of two thousand (\$2,000) dollars.
3. For the payment of Indianapolis Market House bonds, three thousand (\$3,000) dollars.

DEPARTMENT OF FINANCE.

4. For the payment of Indianapolis Fire Department and City Hospital Bonds, the sum of fourteen thousand (\$14,000) dollars.

5. For the payment of interest and exchange on the city bonded indebtedness, the sum of ninety-two thousand eight hundred and fifty-seven dollars and fifty cents (\$92,857.50).

6. For the payment of interest and exchange on the Brightwood bonded indebtedness, the sum of eight hundred and forty (\$840) dollars.

7. For the payment of interest and exchange on the Haughville bonded indebtedness, the sum of six hundred and forty (\$640) dollars.

8. For the payment of interest and exchange on the Irvington bonded indebtedness, the sum of six hundred and ten dollars and twenty-five cents (\$610.25).

9. For the payment of interest and exchange on the Mt. Jackson bonded indebtedness, the sum of three (\$3) dollars.

10. For the payment of interest and exchange on the West Indianapolis bonded indebtedness, the sum of three thousand seven hundred and eighty (\$3,780) dollars.

11. For miscellaneous expenses of city officers, the sum of three thousand five hundred (\$3,500) dollars.

12. For the payment of the Scales, Weights and Measures Expense Account, the sum of three hundred (\$300) dollars.

13. For the payment of Special Police Judge, the sum of one hundred and fifty (\$150) dollars.

14. For the payment of the codification of the laws and ordinances of the city of Indianapolis, the sum of twenty-five hundred (\$2,500) dollars.

15. For the salaries of twenty-one (21) councilmen, at one hundred and fifty dollars (\$150) dollars, the sum of three thousand one hundred and fifty (\$3,150) dollars.

16. For the payment of the salary of the Sergeant-at-Arms of the Common Council, the sum of one hundred (\$100) dollars.

17. For the salary of the Police Judge, the sum of two thousand five hundred (\$2,500) dollars.

18. For the salary of the Mayor, the sum of four thousand (\$4,000) dollars.

19. For the salary of the Mayor's Clerk, the sum of one thousand two hundred (\$1,200) dollars.

20. For the salary of the City Clerk, the sum of three thousand (\$3,000) dollars.

21. For the salary of the Deputy City Clerk, the sum of twelve hundred (\$1,200) dollars.

22. For the salary of the City Attorney, the sum of four thousand (\$4,000) dollars.

23. For the salary of the First Assistant City Attorney, the sum of two thousand five hundred (\$2,500) dollars.

24. For the salary of the Second Assistant City Attorney, the sum of nine hundred (\$900) dollars.

25. For the salary of the Stenographer of the City Attorney, the sum of six hundred (\$600) dollars.

26. For the salary of the City Comptroller, the sum of three thousand (\$3,000) dollars.

27. For the salary of the Deputy City Comptroller, the sum of twelve hundred (\$1,200) dollars.

28. For the salary of the Chief Clerk, Finance Department, the sum of twelve hundred dollars (\$1,200).

29. For the salary of the Bookkeeper, Finance Department, the sum of one thousand (\$1,000) dollars.

30. For the payment of extra clerical help, Finance Department, the sum of one thousand (\$1,000) dollars.

31. For the salaries of three members of the Board of Public Works, the sum of six thousand (\$6,000) dollars.

32. For the salary of the Clerk of the Board of Public Works, the sum of one thousand two hundred (\$1,200) dollars.

33. For the salary of the Assistant Clerk of the Board of Public Works, the sum of seven hundred and twenty (\$720) dollars.

34. For the salaries of three members of the Board of Public Safety, the sum of one thousand eight hundred (\$1,800) dollars.

35. For the salary of the Clerk of the Board of Safety, the sum of one thousand two hundred (\$1,200) dollars.

36. For the salary of the Building Inspector, the sum of eighteen hundred (\$1,800) dollars.

37. For the salaries of three members of the Board of Public Health and Charities, the sum of three hundred (\$300) dollars.

38. For the salary of the City Sanitarian, the sum of two thousand (\$2,000) dollars.

39. For the salary of the Clerk of the Board of Public Health and Charities, the sum of one thousand (\$1,000) dollars.

40. For the salary of the City Treasurer, the sum of eight thousand five hundred (\$8,500) dollars.

41. For the salary of the County Auditor, the sum of one thousand (\$1,000) dollars.

42. For the salary of the Inspector of Scales, Weights and Measures and his Assistants, the sum of two thousand six hundred and sixty (\$2,660) dollars.

DEPARTMENT OF LAW.

1. For judgments, compromises and costs, the sum of six thousand (\$6,000) dollars.

2. For change of venue cases, including local attorney's services, expenses, etc., the sum of five hundred (\$500) dollars.

3. For transcripts, printing of briefs, stationery and miscellaneous items, the sum of four hundred (\$400) dollars.

4. For office rent and expenses, the sum of five hundred (\$500) dollars.

5. For Law Library, the sum of three hundred (\$300) dollars.

DEPARTMENT OF PUBLIC WORKS.

1. For erroneous assessments, the sum of five hundred (\$500) dollars.

2. For payment of assessments, the sum of five hundred (\$500) dollars.

3. For the payment of assessment roll clerks, the sum of five thousand eight hundred and eighty (\$5,880) dollars.

4. For blank books, printing and stationery, the sum of three thousand five hundred (\$3,500) dollars.

5. For bridges, the sum of ten thousand (\$10,000) dollars.

6. For bridge-gang pay-roll, the sum of seven thousand (\$7,000) dollars.

7. For Brightwood water-works, the sum of five thousand (\$5,000) dollars.

8. For cisterns, the sum of five hundred (\$500) dollars.

9. For City Civil Engineer, accounts, the sum of two thousand (\$2,000) dollars.

10. For City Civil Engineer, for salaries, the sum of twenty-two thousand five hundred (\$22,500) dollars.

11. For City Hall accounts, the sum of four thousand three hundred (\$4,300) dollars.

12. For City Hall janitors, the sum of two thousand five hundred and twenty (\$2,520) dollars.

13. For electric, gas and vapor lights, the sum of one hundred and twenty-five thousand (\$125,000) dollars.

14. For fountains and wells, the sum of five hundred (\$500) dollars.

15. For furniture and fixtures, the sum of one thousand five hundred (\$1,500) dollars.

16. For the collection and delivery of garbage, the sum of thirty-four thousand six hundred (\$34,600) dollars.

17. For city garbage and night soil disposal and Sellar's farm, the sum of twelve thousand two hundred (\$12,200) dollars.

18. For incidental expenses, the sum of five hundred (\$500) dollars.

19. For public buildings and repairs, the sum of twelve thousand five hundred (\$12,500) dollars.

20. For sewers, the sum of one thousand (\$1,000) dollars.

21. For sewer-gang pay-roll, the sum of ten thousand five hundred (\$10,500) dollars.

22. For sweeping and cleaning improved streets, the sum of seventy-two thousand five hundred (\$72,500) dollars.

23. For the maintenance and repair of streets, including street repair pay-roll, the sum of twenty-five thousand (\$25,000) dollars.

24. For street openings and vacations, the sum of two hundred (\$200) dollars.

25. For street repair accounts, the sum of three thousand five hundred (\$3,500) dollars.

26. For repairing permanently improved streets, the sum of forty thousand (\$40,000) dollars.

27. For sprinkling unimproved streets, the sum of forty-five thousand (\$45,000) dollars.

28. For telephones, the sum of five hundred (\$500) dollars.

29. For Tomlinson Hall accounts, the sum of two thousand (\$2,000) dollars.

30. For Tomlinson Hall janitors, the sum of two thousand five hundred (\$2,500) dollars.

31. For water, the sum of one hundred thousand (\$100,000) dollars.

32. For payment of appraisers appointed to appraise property for public improvements, the sum of one thousand five hundred (\$1,500) dollars.

DEPARTMENT OF PUBLIC SAFETY.

Fire Force Pay-Roll.

1. For fire force pay-roll, the sum of two hundred and fourteen thousand eight hundred and sixty-one (\$214,861) dollars.

Fire Force Accounts.

1. Fire alarm telegraph department, the sum of three thousand (\$3,000) dollars.

2. For fuel, gas and coal, the sum of three thousand five hundred (\$3,500) dollars.

3. For furniture, the sum of one thousand (\$1,000) dollars.

4. For harness and repairs, the sum of five hundred (\$500) dollars.

5. For horse feed, the sum of ten thousand (\$10,000) dollars.

6. For horseshoeing, the sum of two thousand five hundred (\$2,500) dollars.

7. For the purchase of hose, the sum of five thousand (\$5,000) dollars.

8. For the purchase of horses, the sum of three thousand (\$3,000) dollars.

9. For illuminating gas and electric lights, including battery power, the sum of one thousand seven hundred and fifty (\$1,750) dollars.

10. For miscellaneous supplies, the sum of one thousand two hundred and fifty (\$1,250) dollars.

11. For new apparatus, the sum of seven thousand (\$7,000) dollars.

12. For printing and stationery, the sum of one hundred and fifty (\$150) dollars.

13. For repairs to apparatus, the sum of two thousand (\$2,000) dollars.

14. For repairs to buildings, the sum of two thousand five hundred (\$2,500) dollars.

15. For repairs to cisterns, the sum of four hundred (\$400) dollars.

16. For soda and acids, the sum of three hundred and fifty (\$350) dollars.

17. For telephone service, the sum of one thousand five hundred (\$1,500) dollars.

Police Force Pay-Roll.

1. For police pay-roll, the sum of one hundred and sixty-five thousand seven hundred and nine dollars and seventy-five cents (\$165,709.75).

Police Force Accounts.

1. For building repairs, the sum of five hundred (\$500) dollars.

2. For bicycles and repairs, the sum of three hundred (\$300) dollars.

3. For cow pounds, the sum of one hundred (\$100) dollars.

4. For electrical department, the sum of five hundred (\$500) dollars.

5. For emergency police, the sum of five hundred (\$500) dollars.

6. For fuel, gas and coal, the sum of one thousand five hundred (\$1,500) dollars.

7. For gas and electric light, the sum of one thousand five hundred (\$1,500) dollars.

8. For the purchase of horses, the sum of five hundred (\$500) dollars.

9. For horse feed, the sum of eight hundred (\$800) dollars.

10. For incidental expenses, the sum of fifteen hundred (\$1,500) dollars.

11. For prisoners' meals, the sum of fifteen hundred (\$1,500) dollars.

12. For secret service, the sum of four hundred (\$400) dollars.

13. For telephone service, the sum of one thousand (\$1,000) dollars.

14. For wagons and repairs, the sum of five hundred (\$500) dollars.

Board of Safety Office Funds.

1. For incidental expenses, the sum of five hundred (\$500) dollars.

2. For printing and stationery, the sum of two hundred (\$200) dollars.

South Side Market Funds.

1. For salaries, the sum of nine hundred (\$900) dollars.

2. For gas and electric light, the sum of two hundred (\$200) dollars.

3. For fuel, the sum of one hundred and fifty (\$150) dollars.

4. For repairs to buildings, the sum of one hundred and fifty (\$150) dollars.

5. For current expenses, the sum of one hundred (\$100) dollars.

East Market Funds.

1. For salaries, the sum of five thousand one hundred and forty (\$5,140) dollars.

2. For cleaning buildings and grounds, the sum of one thousand and eighty (\$1,080) dollars.

3. For current expenses, the sum of two hundred (\$200) dollars.

4. For gas and electricity, the sum of five thousand and fifty (\$5,050) dollars.

5. For printing and stationery, the sum of thirty (\$30) dollars.
6. For repairs to buildings, the sum of five hundred (\$500) dollars.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES.

City Dispensary.

1. For drugs, the sum of one thousand seven hundred (\$1,700) dollars.
2. For dry goods, the sum of two hundred (\$200) dollars.
3. For artificial gas, the sum of ten (\$10) dollars.
4. For groceries, the sum of forty (\$40) dollars.
5. For incidentals, the sum of three hundred (\$300) dollars.
6. For laundry, the sum of eighty (\$80) dollars.
7. For printing and stationery, the sum of one hundred and twenty (\$120) dollars.
8. For surgical supplies, the sum of three hundred and fifty (\$350) dollars.
9. For telephone, the sum of one hundred and sixty (\$160) dollars.
10. For transportation, the sum of sixty (\$60) dollars.
11. For salaries, the sum of four thousand one hundred and twenty-seven (\$4,127) dollars.

City Hospital.

1. For drugs, the sum of two thousand (\$2,000) dollars.
2. For dry goods, the sum of one thousand eight hundred (\$1,800) dollars.
3. For electrical supplies, the sum of one hundred and fifty (\$150) dollars.
4. For engine room supplies, the sum of two hundred and fifty (\$250) dollars.
5. For furniture, the sum of four hundred (\$400) dollars.
6. For fuel, the sum of five thousand (\$5,000) dollars.
7. For artificial gas, the sum of one hundred (\$100) dollars.
8. For hardware, the sum of two hundred (\$200) dollars.
9. For horseshoeing, the sum of one hundred (\$100) dollars.
10. For incidentals, the sum of seven hundred (\$700) dollars.
11. For laundry supplies, the sum of three hundred (\$300) dollars.
12. For paints and painting, the sum of three hundred (\$300) dollars.
13. For plumbing supplies, the sum of three hundred (\$300) dollars.
14. For printing and stationery, the sum of three hundred (\$300) dollars.
15. For provisions, the sum of eleven thousand eight hundred (\$11,800) dollars.
16. For queensware, the sum of three hundred (\$300) dollars.
17. For repairs, the sum of eight hundred (\$800) dollars.
18. For stable supplies, the sum of four hundred (\$400) dollars.
19. For surgical supplies, the sum of thirteen hundred and fifty (\$1,350) dollars.
20. For new telephone system, the sum of six hundred and sixty (\$660) dollars.
21. For nursing, the sum of two thousand five hundred (\$2,500) dollars.
22. For salaries, the sum of ten thousand one hundred and sixty-five dollars and twenty-five cents (\$10,165.25).
23. For Flower Mission Hospital, the sum of two thousand (\$2,000) dollars.

Health Office.

1. City ambulance and driver (new ambulance), the sum of sixteen hundred (\$1,600) dollars.
2. For cutting weeds, the sum of one thousand (\$1,000) dollars.

3. For horse board, the sum of three hundred and sixty (\$360) dollars.
4. For incidentals, the sum of three hundred (\$300) dollars.
5. For laboratory, the sum of one thousand (\$1,000) dollars.
6. For prevention of contagious diseases, the sum of five thousand (\$5,000) dollars.
7. For printing and stationery, the sum of five hundred (\$500) dollars.
8. For public charity, the sum of twelve hundred (\$1,200) dollars.
9. For telephone, the sum of one hundred and sixty (\$160) dollars.
10. For salaries, the sum of five thousand seven hundred and forty-eight dollars and fifty cents (\$5,748.50).

DEPARTMENT OF PUBLIC PARKS.

The following appropriations to the Department of Public Parks are inclusive of all moneys derived from the annual payment of the sum of thirty thousand dollars by the Indianapolis Street Railway Company to the city of Indianapolis, under the contract and franchise of said company, and all the miscellaneous receipts of said city on account of said parks, except moneys derived from its parks by said city under the provisions of paragraph six (6), section nine (9), of the act of the General Assembly, approved March 4, 1889, establishing the said Department of Public Parks, viz:

1. For the maintenance of public parks, the sum of fifty-four thousand and fifty (\$54,050) dollars.
2. For improvement of public parks, the sum of thirty-eight thousand five hundred (\$38,500) dollars.
3. For salaries, office expenses and supplies, park office, the sum of seven thousand five hundred and thirty (\$7,530) dollars.

Section 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following ordinances were introduced:

By Mr. Wynne:

G. O. No. 57, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be, and is hereby, transferred the sum of five thousand (\$5,000.00) dollars from the appropriation heretofore made for the account known and designated as the "Bridge" Fund to the account designated as "For the Maintenance and Repair of Streets, Including Street Repair Pay-Roll" Fund, Department of Public Works.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Finance.

By Board of Public Works:

G. O. No. 58, 1903: An ordinance approving a certain contract granting A. Minter the right to lay and maintain a switch or sidetrack across Georgia and California streets in the city of Indianapolis, Indiana.

Whereas, heretofore, to wit: On the 21st day of September, 1903, A. Minter filed his petition before the Board of Public Works of the city of Indianapolis, as follows:

PETITION.

Indianapolis, Ind., September 21st, 1903.

To the Board of Public Works of Indianapolis:

Gentlemen—The undersigned respectfully petitions your honorable body for permission to lay a sidetrack from a point in the present sidetrack of the St. Louis Division of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company in Georgia street, fifty-five (55) feet from the property line of the petitioner's real estate, located at the corner of Georgia and California streets in the city of Indianapolis, Indiana, to his said factory, the location, length and specifications more fully appearing from the blue print accompanying this petition, upon such terms as may be fully set out in a contract to be hereafter drawn between your honorable body and your petitioner.

He further represents that he has been a manufacturer, doing business in the city of Indianapolis for a period of thirty-five (35) years last past at the same location described above. That California street, upon which the property of the petitioner abuts on the west, runs only to the tracks which are located on Georgia street, and that the continuation of California street across said tracks and beyond is prevented by the Indianapolis, Decatur & Western Railway Company's freight depot, which sets immediately upon what would be California street were the same continued south. That there are at present four (4) tracks on Georgia street, three (3) of which are the property of the C., C. & St. L. Ry. Co., and one (1) of the I., D. & W. Ry. Co. That your petitioner has been using on an average of two (2) cars per day until recently and is now using about four (4) per day. That he has added a wholesale and retail coal and wood business to the business heretofore conducted by him and for such purpose a switch track upon the property of the petitioner is absolutely necessary.

He, therefore, asks the favorable consideration of this petition.

A. MINTER,

Petitioner.

Now, therefore, This agreement, made and entered into this 21st day of September, 1903, by and between A. Minter, of the city of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

Witnesseth, That the party of the first part being desirous of securing a right of way for a switch or sidetrack across Georgia and California streets, in the city of Indianapolis, which is more specifically described in the petition of the party of the first part hereto attached, and made a part of this contract, hereby covenants and agrees and fully binds himself, his successors, legal representatives, and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct and maintain said switch or sidetrack upon the terms and conditions hereinafter set forth, to wit:

(1) It shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall at all times be subject to the order of the Board of Public Works of the city of Indianapolis.

(2) Said track or switch shall be laid upon such grade as shall be established by the said Board, and shall be put down under its supervision and to its satisfaction and approval. Said sidetrack or switch shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions, made by said Board, for the elevation or depression of said sidetrack or switch, or the railroad tracks with which said sidetrack or switch is or may be connected.

(3) The crossing where said sidetrack or switch crosses Georgia and California streets shall at all times be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct said crossing, or be thereon, except for such time as may be absolutely necessary in moving back and forth, and they shall at no time be stopped or detained thereon in such a manner as to obstruct private travel.

(4) Said party of the first part agrees, at the pleasure and written order of the Board, to take up and remove said sidetrack or switch, and upon his failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done. And the party of the first part hereby releases all claim for damages whatsoever that may arise by reason of such removal; and in removing said sidetrack or switch or in causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to plank between said sidetrack or switch, from property line to property line, across Georgia and California streets, to the entire satisfaction of the second party, and in case said sidetrack or switch shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fault the said Board shall be exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove the same, failing in which, after notification, in writing, of ten (10) days, said Board shall do or cause same to be done at the expense of the said party of the first part and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part hereby binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track or switch, and to pay any judgment, with costs, that may, on that account, be rendered against him or said city.

(7) Any violation of any provision of this instrument by said party of the first part, or by any one for him, or at his instance, or with his permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract; provided, however, that the same may be terminated without cause, at the pleasure of said Board, as hereinbefore set forth in clause (4) four.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the United States census last preceding, and matters connected therewith and declaring an emergency," approved March 6th, 1901, and in consideration of the things hereinbefore set forth, and upon the terms and provisions herein stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay, maintain and construct a single switch or sidetrack across Georgia and California streets, in the city of Indianapolis, described as follows: The following described center line of railroad switch or sidetrack, beginning at a point in the center line of the C., C. & St. L. Railroad Company's siding, the said point being ten (10) feet south of the north line of Georgia

street and thirty-three (33) feet east of the west line of California street; thence with a curve line in a northwesterly direction to a point in the north line of Georgia street, the said point being twenty (20) feet west of the west line of California street, as shown by the drawing hereto attached and filed herewith, and for greater certainty marked "Exhibit A."

In witness whereof, We have hereunto set our hands this 21st day of September, 1903.

A. MINTER,

Party of the First Part.

CITY OF INDIANAPOLIS:

By HAROLD C. MEGREW,

EDWIN D. LOGSDON,

C. MAGUIRE,

Board of Public Works, Party of the Second Part.

And, whereas, Said contract has been submitted by said Board of Public Works, to the Common Council of the city of Indianapolis, for its consideration and action; now therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, that said contract above set forth be and the same is hereby in all things confirmed and approved.

Sec. 2. This ordinance shall take effect and be in full force from and after its passage.

Which was read a first time and referred to Committee on Railroads.

By Mr. Wynne:

G. O. No. 59, 1903: An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the city of Indianapolis, for the year 1904, and fixing the time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That there be and is hereby assessed a levy upon all real estate and improvements and all personal property of whatever description, notes, bonds, stocks, and choses in action, in the city of Indianapolis, Indiana, or assessed and returned for taxation in said city for the year 1903, a tax for general purposes of seventy-eight cents (78c) on each one hundred dollars (\$100) valuation of such property, and a further sum of fifty cents (50c) on each poll for general purposes; also a tax of one cent (1c) upon each one hundred dollars (\$100) on all such property for the police pension fund of said city; also a tax of one cent (1c) upon each one hundred dollars (\$100) on all such property for the fireman pension fund of said city; also a tax of two cents (2c) upon each one hundred dollars (\$100) on all such property for the sinking fund of said city, as provided in Act of General Assembly of 1901, page 192.

Sec. 2. That the Auditor of Marion County be and he is hereby ordered and directed to place such tax upon the proper tax duplicate, and the County Treasurer of said county, acting for said city, is hereby ordered and directed to collect the same for the city of Indianapolis, and make due report thereof to said city.

Sec. 3. This ordinance shall be in full force and effect from and after its passage by the Common Council of the city of Indianapolis.

Which was read a first time and referred to Committee on Finance.

By Mr. Cooper:

G. O. No. 60, 1903: An ordinance adopting the use of voting machines and authorizing same to be used in certain precincts in the city election to be held October 13, 1903, fixing the boundaries of the precincts in which they are to be used, and fixing the time when this ordinance shall take effect.

Whereas, The Board of County Commissioners of Marion County, Indiana, have adopted certain voting machines for use in said county, and

Whereas, Said machines have been approved by the Indiana Voting Machine Commission, and

Whereas, Said County Commissioners have on hand, ready for use, a limited number of such voting machines, but not a sufficient number for every precinct of the city of Indianapolis; therefore,

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That said voting machines be and are hereby adopted, and shall be used at the city election to be held on the 13th day of October, 1903, in ten precincts of said city, which precincts are designated and defined, as follows, to wit:

Precinct Seven in Ward One of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of the Lake Erie & Western Railway Company's right of way and Nineteenth street; thence in an easterly direction in the center line of Nineteenth street to the center line of Sheldon street; thence in a southerly direction in the center line of Sheldon street to the center line of Seventeenth street; thence in a westerly direction in the center line of Seventeenth street to the center line of Columbia avenue; thence in a southerly direction in the center line of Columbia avenue to the center line of Sixteenth street; thence in a westerly direction in the center line of Sixteenth street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a northerly direction in the center line of the Lake Erie & Western Railroad Company's right of way to the center line of Nineteenth street, the place of beginning.

Precinct Seven in Ward Two of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of the Lake Erie & Western Railway Company's right of way and Twenty-fourth street; thence in an easterly direction in the center line of Twenty-fourth street to the center line of Ralston avenue; thence in a southerly direction in the center line of Ralston avenue to the center line of the Indianapolis Union Railway Company's right of way; thence in a westerly direction in the center line of the Indianapolis Union Railway Company's right of way to a point where the same intersects with Twenty-first street; thence continuing in a westerly direction in the center line of Twenty-first street to the center line of the Lake Erie & Western Railway Company's right of way; thence in a northerly direction in the center line of the Lake Erie & Western Railway Company's right of way to the center line of Twenty-fourth street, the place of beginning.

Precinct Thirteen in Ward Three of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of Missouri street and Fourteenth street, thence in an easterly direction in the center line of Fourteenth street to the center line of Capitol avenue; thence in a southerly direction in the center line of Capitol avenue to the center line of Twelfth street; thence in a westerly direction in the center line of Twelfth street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Fourteenth street, the place of beginning.

Precinct Thirteen in Ward Fifteen of the city of Indianapolis, more particularly described as follows: Beginning at the center line of Holmes avenue and Michigan street; thence west in the center line of Michigan street to the center line of Concord street; thence in a northerly direction in the center line of Concord street to the center line of Tenth street; thence east in the center line of Tenth street to the center line of Ketcham street; thence north in the center line of Ketcham street to the corporation limits on the north; thence in an easterly direction along the said corporation limits to the center line of Warman avenue; thence south in the center line of Warman avenue to the center line of Tenth street; thence east in the center line of Tenth street to the center line of Holmes avenue; thence south in the center line of Holmes avenue to the center line of Calvelage street; thence west in the center line of Calvelage street to the center line of Warman avenue; thence south in the center line of Warman avenue to the center line of Walnut street; thence in an easterly direction in the center line of Walnut street to the center line of Holmes avenue; thence in a southerly direction in the center line of Holmes avenue to the center line of Michigan street, the place of beginning.

Precinct Eleven in Ward Six of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of West street and Vermont street; thence in an easterly direction in the center line of Vermont street to the center line of Missouri street; thence in a southerly direction in the center line of Missouri street to the center line of Ohio street; thence in a westerly direction in the center line of Ohio street to the center line of West street; thence in a northerly direction in the center line of West street to the center line of Vermont street, the place of beginning.

Precinct Three in Ward Ten of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of Shelby street and Maryland street; thence in an easterly direction in the center line of Maryland street to the center line of Leota street; thence in a northerly direction in the center line of Leota street to the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way; thence in an easterly direction in the center line of the Cincinnati, Hamilton & Dayton Railway Company's right of way to the center line of State avenue; thence in a southerly direction in the center line of State avenue to the center line of the Big Four Railway Company's right of way; thence in a northwesterly direction in the center line of the Big Four Railway Company's right of way to the center line of Leota street; thence in a northerly direction in the center line of Leota street to the center line of Bates street; thence in a westerly direction in the center line of Bates street to the center line of Shelby street; thence in a northerly direction in the center line of Shelby street to the center line of Maryland street, the place of beginning.

Precinct Six in Ward Twelve of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of Kentucky avenue and Maryland street; thence in an easterly direction in the center line of Maryland street to the center line of Illinois street; thence in a southerly direction in the center line of Illinois street to the center line of Merrill street; thence in a westerly direction in the center line of Merrill street to the center line of Capitol avenue; thence in a northerly direction in the center line of Capitol avenue to the center line of South street; thence in a westerly direction in the center line of South street to the center line of Missouri street; thence in a northerly direction in the center line of Missouri street to the center line of Louisiana street; thence in an easterly direction in the center line of Louisiana street to the center line of Senate avenue; thence in a northerly direction in the center line of Senate avenue to the center line of Kentucky avenue; thence in a northeasterly direction in the

center line of Kentucky avenue to the center line of Maryland street, the place of beginning.

Precinct One in Ward Thirteen of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of White river and Ray street; thence in an easterly direction in the center line of Ray street to the center line of Church street; thence in a southerly direction in the center line of Church street to the center line of Morris street; thence in a westerly direction in the center line Morris street to the center line of White river; thence in a northerly direction in the center line of White river to the center line of Ray street, the place of beginning.

Precinct Eight in Ward Thirteen of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of Madison avenue and Prospect street; thence in an easterly direction in the center line of Prospect street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of Nebraska street; thence in a westerly direction in the center line of Nebraska street to the center line of Madison avenue; thence in a northerly and northwesterly direction in the center line of Madison avenue to the center line of Prospect street, the place of beginning.

Precinct Twelve in Ward Thirteen of the city of Indianapolis, more particularly described as follows: Beginning at the intersection of Madison avenue and Nebraska street; thence in an easterly direction in the center line of Nebraska street to the center line of East street; thence in a southerly direction in the center line of East street to the center line of Raymond street; thence in a westerly direction in the center line of Raymond street to the center line of Madison avenue; thence in a northerly direction in the center line of Madison avenue to the center line of Nebraska street, the place of beginning.

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Elections.

By Mr. Warweg:

G. O. No. 61, 1903: An ordinance giving the name of "Marlowe avenue" to the first alley north of Ohio street, extending from Dorman street to Harvey street.

Section 1. Be it ordained by the Common Council of the city of Indianapolis, Indiana, That the first alley north of Ohio street, in said city, and extending from Dorman street to Harvey street, be, and the same is, hereby named "Marlowe avenue," and shall hereafter be known as "Marlowe avenue."

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to Committee on Ordinances.

MISCELLANEOUS BUSINESS.

Mr. Negley offered the following resolution:

Resolution No. 10, 1903: Be it resolved by the Common Council of the city of Indianapolis. That the persons whose names are hereby set

forth be and they are hereby appointed and are hereby declared to be elected as election inspectors, for the several precincts of the city of Indianapolis, as hereinafter designated, to serve at the election to be held in said city on the 13th day of October, 1903, for the election of certain officers then and there to be voted for. Which names of said inspectors and the several precincts in which they are to act, respectively, are as follows, to wit:

FIRST WARD.

- Precinct One—Willis R. Miner, 2651 Station street.
- Precinct Two—Wells Essex, 3514 E. Twenty-fifth street.
- Precinct Three—Eugene Stufflebean, 2054 Hazel street.
- Precinct Four—Chas. P. Walters, 2385 Hillside avenue.
- Precinct Five—Holley Monfort, 2031 Columbia avenue.
- Precinct Six—Jeremiah Blossom, 2057 Yandes street.
- Precinct Seven—Walter B. Silvers, 1623 Alvord street.
- Precinct Eight—Amos Marshall, 1517 Yandes street.
- Precinct Nine—Albert Pease, 1528 Roosevelt avenue.
- Precinct Ten—Henry Gallamore, 1841 Arrow avenue.
- Precinct Eleven—John V. Coyner, 2102 Coyner street.
- Precinct Twelve—Walter G. Sears, 2125 Depot street.
- Precinct Thirteen—H. W. G. Adkins, 1122 N. Dearborn street.
- Precinct Fourteen—David Greenwood, 1010 N. Tacoma avenue.
- Precinct Fifteen—Wm. H. Cooper, 1607 E. Twelfth street.
- Precinct Sixteen—W. G. Sale, 1339 Brookside avenue.
- Precinct Seventeen—Thos. L. Linegar, 1315 Cornell avenue.
- Precinct Eighteen—Samuel Musser, 1109 Cornell avenue.

SECOND WARD.

- Precinct One—C. W. Means, 2709 Bellefontaine street.
- Precinct Two—E. E. Warrick, 2706 Bellefontaine street.
- Precinct Three—E. J. Robinson, 2316 Broadway.
- Precinct Four—Horace M. Hadley, 2115 Central avenue.
- Precinct Five—Geo. C. Webster, 2018 College avenue.
- Precinct Six—James A. Dixon, 2325 Ashland avenue.
- Precinct Seven—John C. Roach, 2302 Martindale avenue.
- Precinct Eight—Oscar Johnson, 2128 Ashland avenue.
- Precinct Nine—F. H. Pillet, 1728 Bellefontaine street.
- Precinct Ten—Theodore Smithers, 1924 Park avenue.
- Precinct Eleven—W. J. Pfaff, 1720 College avenue.
- Precinct Twelve—Chas. Githens, 1606 College avenue.
- Precinct Thirteen—W. L. Taylor, 1606 Central avenue.
- Precinct Fourteen—H. F. Stephenson, 1919 N. Alabama street.
- Precinct Fifteen—Wm. H. Nickerson, 2054 Park avenue.
- Precinct Sixteen—O. L. Wade, 1515 College avenue.
- Precinct Seventeen—Elton B. Elliott, 1616 Cornell avenue.

THIRD WARD.

- Precinct One—E. D. Bogardus, 2233 Talbott avenue.
- Precinct Two—John L. Benedict, 2243 N. Meridian street.
- Precinct Three—H. T. Hearsey, 2213 N. Illinois street.
- Precinct Four—James Pritchard, 2010 N. Senate avenue.
- Precinct Five—Frank D. Stalnaker, 2007 N. Illinois street.
- Precinct Six—M. Steinhauer, 1922 N. Capitol avenue.
- Precinct Seven—Edward Daniels, 1849 N. Pennsylvania street.
- Precinct Eight—Austin F. Denny, 1609 N. Delaware street.
- Precinct Nine—W. H. Elvin, 1710 N. Illinois street.
- Precinct Ten—W. Plunkett, 345 Holton place.
- Precinct Eleven—B. Morgan, 419 W. Fifteenth street.
- Precinct Twelve—J. G. Stemen, 217 W. Sixteenth street.
- Precinct Thirteen—Chas. B. Wells, 353 W. Thirteenth street.

Precinct Fourteen—John Hunter, 405 Walden street.
 Precinct Fifteen—L. P. McCormack, 312 W. Twelfth street.
 Precinct Sixteen—Dr. Geo. Pendleton, 927 N. West street.

FOURTH WARD.

Precinct One—Merle Walker, Delaware and Thirty-second street.
 Precinct Two—John Seantlon, Thirty-fourth and Capitol avenue.
 Precinct Three—W. H. Lee, 20 W. Thirtieth street.
 Precinct Four—Roy Abrams, 2801 N. Illinois street.
 Precinct Five—Chas. M. Reagan, 121 W. Twenty-eighth street.
 Precinct Six—Geo. W. Shelby, 601 W. Twenty-eighth street.
 Precinct Seven—Frank Jenkins, 927 Congress avenue.
 Precinct Eight—John Murphy, 1128 Eugene street.
 Precinct Nine—O. B. Cosler, 2902 Rader street.
 Precinct Ten—Calvin W. Kiefer, 1110 W. Twenty-seventh street.
 Precinct Eleven—M. O. Mints, 911 W. Twenty-seventh street.
 Precinct Twelve—John Crenshaw, 906 W. Twenty-fourth street.
 Precinct Thirteen—Wm. Aikmen, 2617 Parkway.
 Precinct Fourteen—W. H. Holmes, 1424 Montcalm street.
 Precinct Fifteen—Thos. F. Lamb, 512 W. Thirteenth street.
 Precinct Sixteen—Jasper Ponds, 544 Drake street.
 Precinct Seventeen—John Ford, 614 W. Tenth street.

FIFTH WARD.

Precinct One—Casper Kleifgen, 820 N. California street.
 Precinct Two—Henry J. Mouer, 915 Indiana avenue.
 Precinct Three—William Rhodes, 717 Wilson street.
 Precinct Four—Robert Locklear, 630 Agnes street.
 Precinct Five—William W. Christy, 643 Blake street.
 Precinct Six—Oliver W. Sweet, 718 N. West street.
 Precinct Seven—Samuel Goddard, 609 W. Vermont street.
 Precinct Eight—Chas. Hoskins, 519 Blake street.
 Precinct Nine—Chas. M. Lee, 709 W. Vermont street.
 Precinct Ten—Samuel Hastings, 305 Douglass street.
 Precinct Eleven—Joseph Weil, 332 Douglass street.
 Precinct Twelve—Thos. Judd, 416 Patterson street.
 Precinct Thirteen—James M. Newby, 1016 W. New York street.

SIXTH WARD.

Precinct One—John G. Pendergast, 815 N. Capitol avenue.
 Precinct Two—Henry Smithers, 720 N. Capitol avenue.
 Precinct Three—E. O. South, 614 Fayette street.
 Precinct Four—Loss Seaton, 524½ Indiana avenue.
 Precinct Five—Henry Kothe, 607 N. Capitol avenue.
 Precinct Six—William D. Miller, The Chalfant.
 Precinct Seven—Robert B. Keath, 14 The Blacherne.
 Precinct Eight—James K. Gore, 423 N. Capitol avenue.
 Precinct Nine—Elmer Stoddard, 222 W. Vermont street.
 Precinct Ten—R. W. Bula, 524 N. Senate avenue.
 Precinct Eleven—James Jeffries, 426 W. New York street.
 Precinct Twelve—John R. Brattain, 312 N. Senate avenue.
 Precinct Thirteen—Thos. E. Potter, 147 W. Vermont street.
 Precinct Fourteen—Chas. H. Wilson, 122 W. Ohio street.
 Precinct Fifteen—W. H. Morrison, Imperial Hotel.
 Precinct Sixteen—R. L. Shilling, 544 W. Washington street.
 Precinct Seventeen—J. P. Keeter, 416 W. Washington street.
 Precinct Eighteen—Wm. E. English, English Hotel.
 Precinct Nineteen—Cortland Ball, 13 W. Market street.

SEVENTH WARD.

Precinct One—John Pasquire, 802 E. Michigan street.
 Precinct Two—J. A. Neumeyer, 722 N. Noble street.

Precinct Three—James Launsbury, Winona block.
 Precinct Four—Robert R. Watkins, 426 E. Michigan street.
 Precinct Five—A. D. Miller, 607 N. Alabama street.
 Precinct Six—Chas. F. Craig, 722 N. New Jersey street.
 Precinct Seven—Thos. Demmery, 608 N. Alabama street.
 Precinct Eight—D. K. Partlow, 115 E. St. Clair street.
 Precinct Nine—Dr. E. W. Druley, 229 Massachusetts avenue.
 Precinct Ten—Chas. Nickum, 333 Massachusetts avenue.
 Precinct Eleven—W. D. Neff, Marshal House.
 Precinct Twelve—John H. Sherwood, 225 N. New Jersey street.
 Precinct Thirteen—Chas. Phillips, 520 E. Ohio street.
 Precinct Fourteen—Martin Hugg, 207 Spring street.
 Precinct Fifteen—Frank Stripp, 629 E. Market street.
 Precinct Sixteen—R. C. Hammer, 20 N. Liberty street.
 Precinct Seventeen—Walter Barker, 210½ E. Wabash street.

EIGHTH WARD.

Precinct One—H. H. Eckels, 814 E. Thirteenth street.
 Precinct Two—Wm. T. Brown, 1317 Park avenue.
 Precinct Three—Edward P. Thompson, 1438 Central avenue.
 Precinct Four—Caleb S. Denny, 1321 N. Pennsylvania street.
 Precinct Five—James B. Johnson, 1526 Bryan place.
 Precinct Six—C. C. Perry, 1226 N. Illinois street.
 Precinct Seven—Elmer Scott, 1315 N. Illinois street.
 Precinct Eight—G. E. Mayfield, 1205 Bellefontaine street.
 Precinct Nine—Louis J. Morgan, 1136 N. New Jersey street.
 Precinct Ten—F. Bennett, 1018 College avenue.
 Precinct Eleven—Chas. Gift, 930 E. Tenth street.
 Precinct Twelve—F. Castor, 909 Wales block.
 Precinct Thirteen—John E. Sharp, 902 Ashland avenue.
 Precinct Fourteen—T. W. Brouse, 902 Broadway.
 Precinct Fifteen—Anson Wiltsie, 908 N. Alabama street.
 Precinct Sixteen—Geo. H. Evans, 112 E. St. Clair street.
 Precinct Seventeen—Horace E. Smith, 1020 N. Pennsylvania street.

NINTH WARD.

Precinct One—Elso Keller, 527 N. Temple avenue.
 Precinct Two—Wm. L. Wright, 562 Jefferson avenue.
 Precinct Three—Albert J. Middleton, 1214 E. Pratt street.
 Precinct Four—John Mack, 1120 Polk street.
 Precinct Five—Geo. Holder, 404 Highland avenue.
 Precinct Six—Geo. Davis, 333 N. Pine street.
 Precinct Seven—Wm. Kothe, 940 E. Market street.
 Precinct Eight—Gust Rosburg, 211 N. Arsenal avenue.
 Precinct Nine—Conrad Rucklehaus, 454 Walcott street.
 Precinct Ten—William Tiesing, 337 N. Keystone avenue.
 Precinct Eleven—Luther Poland, 2311 E. New York street.
 Precinct Twelve—Albert Hanna, 1518 E. Washington street.
 Precinct Thirteen—Dr. F. M. Wright, 3110 E. New York street.
 Precinct Fourteen—James Greer, 27 Garfield avenue.
 Precinct Fifteen—James M. Tooley, 3605 E. Vermont street.
 Precinct Sixteen—Harry Sheets, 5550 E. Washington street.
 Precinct Seventeen—Dr. Samuel McGaughey, 5187 E. Washington st.
 Precinct Eighteen—James Stevenson, 5797 E. Washington street.

TENTH WARD.

Precinct One—Harvey Coonse, 3347 E. Washington street.
 Precinct Two—Geo. A. Coles, 19 S. Summit street.
 Precinct Three—Chas. H. Taylor, 1409 Southeastern avenue.
 Precinct Four—H. G. Young, 902 St. Peter street.
 Precinct Five—E. D. Brundage, 1213 English avenue.

Precinct Six—David J. Smock, 1203 Spann avenue.
 Precinct Seven—A. O. Despo, 1136 Fletcher avenue.
 Precinct Eight—Robert Miller, 1430 Lexington avenue.
 Precinct Nine—Wm. Church, 1725 Hoyt avenue.
 Precinct Ten—Henry W. Tielking, 827 S. State street.
 Precinct Eleven—Wm. Treasy, 927 Olive street.
 Precinct Twelve—John A. Porter, 1219 Prospect street.
 Precinct Thirteen—Otto J. Deeds, 1925 Prospect street.
 Precinct Fourteen—Ed Moore, 1619 Draper street.
 Precinct Fifteen—Linn B. Hopkins, 1337 Olive street.
 Precinct Sixteen—Theodore Mann, 1320 Naomi street.
 Precinct Seventeen—Wm. Childers, 1220 Wade street.

ELEVENTH WARD.

Precinct One—Fred Kline, 966 E. Georgia street.
 Precinct Two—Jerry Griffin, 834 E. Maryland street.
 Precinct Three—David Humphrey, 223 S. East street.
 Precinct Four—Chas. R. Miles, 213 E. Washington street.
 Precinct Five—C. M. Glover, 320½ Virginia avenue.
 Precinct Six—Marion Caldwell, 622 Huron street.
 Precinct Seven—L. A. Fulmer, 845 English avenue.
 Precinct Eight—John F. Richards, 939 Fletcher avenue.
 Precinct Nine—Ira Hinchman, 435 E. South street.
 Precinct Ten—Chas. Koss, 222 Bicking street.
 Precinct Eleven—E. W. Kramer, 608 S. New Jersey street.
 Precinct Twelve—Dennis Golden, 715 Virginia avenue.
 Precinct Thirteen—J. W. Stanton.
 Precinct Fourteen—Robert A. Hamilton, 836 Woodlawn avenue.
 Precinct Fifteen—Jerry Campbell, 615 Woodlawn avenue.
 Precinct Sixteen—Jacob Coffman, 1044 S. East street.

TWELFTH WARD.

Precinct One—Willis Willoighby, 215 S. Illinois street.
 Precinct Two—Walter S. Stemen, 30 Commercial Block.
 Precinct Three—Wm. Morgan, 453 E. Washington street.
 Precinct Four—Thos. Burkhart, 619 W. Washington street.
 Precinct Five—Chas. Bryant, 439½ W. Maryland street.
 Precinct Six—James A. Wilson, 419 W. Pearl street.
 Precinct Seven—Chas. McGuire, 519 Madison avenue.
 Precinct Eight—John Wilson, 532 S. Senate avenue.
 Precinct Nine—John Born, 503 S. West street.
 Precinct Ten—John Sullivan, 634 S. West street.
 Precinct Eleven—J. W. Bales, 925 S. West street.
 Precinct Twelve—Thos. Boylan, 903 Church street.
 Precinct Thirteen—Jacob Grossman, 721 S. Capitol avenue.
 Precinct Fourteen—E. F. Kundel, 712 Russell avenue.
 Precinct Fifteen—Chas. Warrington, 810 Union street.

THIRTEENTH WARD.

Precinct One—Wm. Mussman, 1028 Church street.
 Precinct Two—Louis Held, Sr., 1119 S. Illinois street.
 Precinct Three—Chas. Broich, 1228 Union street.
 Precinct Four—Fred Wolter, 1640 Madison avenue.
 Precinct Five—Chas. J. Gunther, 1422 S. Meridian street.
 Precinct Six—Geo. Ebhardt, 519 W. Morris street.
 Precinct Seven—Wm. Westover, 2510 Madison street.
 Precinct Eight—L. T. F. Zaiser, 235 E. Morris street.
 Precinct Nine—Wm. A. Kuhrman, 618 E. Morris street.
 Precinct Ten—Geo. L. Pugh, 1264 Edgewood street.
 Precinct Eleven—Geo. W. Harvey, 1518 Leonard street.
 Precinct Twelve—Geo. Wenner, 401 Iowa street.
 Precinct Thirteen—Leonard Quill, 2106 Shelby street.

FOURTEENTH WARD.

Precinct One—John Byrkett, 529 Warren avenue.
 Precinct Two—Benj. Sanders, 641 Holly avenue.
 Precinct Three—Jewett W. Jones, 620 Arbor avenue.
 Precinct Four—W. L. Mitchell, 1244 Standard avenue.
 Precinct Five—Peter Glazier, 1229 Kentucky avenue.
 Precinct Six—James Sylvester, 1329 McLain street.
 Precinct Seven—Wm. B. Reed, 1406 Lee street.
 Precinct Eight—Wm. Hyatt, 1348 Belmont avenue S.
 Precinct Nine—L. Dickson, 1123 Reisner avenue.
 Precinct Ten—Oscar Stricker, 446 Division street.

FIFTEENTH WARD.

Precinct One—Julian Bennett, 33 S. Ruth street.
 Precinct Two—Henry Shearer, 532 Centennial street.
 Precinct Three—Woods P. Canfield, 2609 W. Michigan street.
 Precinct Four—John W. Wilson, 110 Traub avenue.
 Precinct Five—C. C. Martindale, 1828 Wilcox street.
 Precinct Six—E. D. Anderson, 1640 W. Vermont street.
 Precinct Seven—Geo. F. Cox, 210 Wilmot street.
 Precinct Eight—Geo. Slagle, 991 W. Pearl street.
 Precinct Nine—E. A. Carver, 1015 N. Belmont avenue.
 Precinct Ten—H. C. Tomlinson, 522 Bismark avenue.
 Precinct Eleven—James W. Ballard, 2516 W. Michigan street.
 Precinct Twelve—Thos. E. Stafford, 906 King avenue.
 Precinct Thirteen—Henry Ward, 1036 Warman avenue.
 Precinct Fourteen—Sis Vestal, 1011 Sheffield avenue.

Which was read and adopted by the following vote :

Ayes, 11, viz. : Messrs. Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.
 Noes, 6, viz. : Messrs. Berry, Meyer, Moriarity, Shea, Warweg, and Wolsiffer.

Mr. Wynne offered the following resolution :

Resolution No. 11, 1903: Whereas, No provision has been made for indexing the proceedings of the Common Council of the city of Indianapolis, and the same are practically worthless without an index; and,

Whereas, A custom has been established by the Common Council of former administrations, making allowance to the person indexing the proceedings; therefore,

Be it resolved by the Common Council of the city of Indianapolis, Indiana, That the City Comptroller of said city of Indianapolis be and hereby is authorized and directed to pay Charles N. Elliott, the present City Clerk, the sum of three hundred (\$300.00) dollars for preparing the index to Journal of Common Council Proceedings from October 10, 1901, to October 5, 1903, and said City Comptroller is hereby authorized and directed to draw a proper warrant therefor and charge the same to the existing appropriation to the Finance Department for miscellaneous expenses of city officers.

Which was read and adopted by the following vote:

Ayes, 18, viz. : Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

The Clerk read the following Communication :

Des Moines, Iowa, Sept. 15, 1903.

City Clerk, Indianapolis, Ind.:

Dear Sir—I enclose herewith bill for the dues of your city in the League of American Municipalities, and ask that you kindly bring the same to the attention of the proper official for early action thereon.

The Seventh Annual Convention of the League will convene at Baltimore, Md., October 7th, for a three days' session. I sincerely hope your city will be represented at the meeting. An excellent program has been arranged, and we anticipate a profitable and instructive convention.

Yours very truly,

JOHN MACVICAR,
Secretary.

LEAGUE OF AMERICAN MUNICIPALITIES,

Office of the Secretary,

Des Moines, Iowa, Sept. 15, 1903.

City of Indianapolis, Ind.:

Debtor to League of American Municipalities, to dues year ending June 17, 1904, \$50.

On motion of Mr. Berry the communication was laid on the table.

ORDINANCES ON SECOND READING.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 56, 1903: "An ordinance approving a certain contract granting the Indianapolis Union Railway Company the right to lay and maintain a switch or sidetrack across the first alley east of Rural street running north from Roosevelt avenue in the city of Indianapolis, Indiana."

On motion of Mr. Eppert, G. O. No. 56, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 55, 1903: "An ordinance transferring certain funds to certain funds from appropriations heretofore made for the Fire Force of the Department of Public Safety, and fixing a time when the same shall take effect."

On motion of Mr. Wynne, G. O. No. 55, 1903, was then or-

dered engrossed, read a third time, and passed by the following vote :

Ayes, 11, viz.: Messrs. Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 7, viz: Messrs. Berry, Kelly, Meyer, Moriarity, Shea, Warweg, and Wolsiffer.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

Appropriation Ordinance No. 16, 1903: "An ordinance appropriating the sum of ninety-three dollars and fifteen cents (\$93.15) with which to pay a certain claim made by virtue of Section 8 of an act entitled 'An act to better regulate and restrict the sale of intoxicating and malt liquors,' etc., approved March 11, 1895, and fixing the time when the same shall take effect."

On motion of Mr. Wynne, App. O. No. 16, 1903, was then ordered engrossed, read a third time and passed by the following vote :

Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Meyer, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Berry, the Common Council at 8:50 o'clock p. m., adjourned.

J. H. Billingsley
.....
President.

ATTEST:

Charles N. Elliott
.....
City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

WEDNESDAY, September 30, 1903.

The Common Council of the city of Indianapolis met in the Council Chamber, Wednesday evening, September 30, 1903, at 7:30 o'clock in special session, pursuant to the following call.

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, September 29, 1903.

To the President and Members of the Common Council:

Gentlemen—You are hereby notified that under and by virtue of the authority vested in me as Mayor of the city of Indianapolis, Indiana, under Section 12 of the City Charter of said city, a special meeting of the Common Council of said city is hereby called to meet at the hour of 7:30 p. m., on September 30th, 1903, in the council chamber of said city for the purpose of taking action on and passing the following ordinances:

Appropriation Ordinance No. 17, 1903: An ordinance appropriating money for the purpose of defraying the current expenses of the city of Indianapolis, and for the use of the several executive departments of said city for the fiscal year beginning January 1st, 1904, and ending December 31st, 1904.

General Ordinance No. 59, 1903: An ordinance ordering and directing the levying of an annual tax and fixing the rate of levy and taxation for the year 1904.

General Ordinance No. 57, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Board of Public Works.

General Ordinance No. 60, 1903: An ordinance directing and adopting the use of voting machines in certain precincts in the city of Indianapolis, and defining the boundaries of the precincts in which such machines are to be used.

General Ordinance No. 49, 1903: An ordinance grading certain members of the fire force of the city of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service, fixing the annual pay of certain officers and employes of said force, repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

Yours respectfully,

C. A. BOOKWALTER,

Mayor.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, James H. Billingsley, President of the Common Council in the chair, and 17 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne and Wysong.

Absent, 3, viz.: Messrs. Meyer, Spray and Wolsiffer.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,

City of Indianapolis.

INDIANAPOLIS, September 29, 1903.

To the President and Members of the Common Council:

Gentlemen—At the regular meeting of your honorable body held on Monday, September 21st, a recommendation was made by Hon. George T. Breunig, city comptroller, asking for a transfer of five thousand (\$5,000) dollars from the bridge fund to the street repair fund.

In urging upon your honorable body that this transfer be made, I desire to call your attention to the purpose for which such action is asked. Kentucky avenue, as the members of your honorable body well know, is the one thoroughfare leading from the city to the stockyards and other industries located west of White river. Until such time as a comprehensive sewer system has been devised by which surface water and drainage can be carried from the streets west of the river it will be impossible to make permanent improvements on such streets. Kentucky avenue has been practically impassable, and, feeling that not only the people who are compelled to use this street daily to reach the various industries which afford them employment but that the residents of such street are entitled to immediate relief, arrangements have been made that the money so appropriated be used to gravel such street from the river bridge to the Belt railroad. Work of this character was not contemplated in fixing the original appropriation for street repairs. The money appropriated for bridge purposes will not be required, as sufficient funds will be left to pay for the new structures now in process of construction.

I earnestly urge the passage of this ordinance, and do so believing that the best interests of the people demand that the work in question be done now, thus placing this thoroughfare in proper condition until such time as it can be permanently improved, following the construction of the sewers mentioned.

This work is to be done by the regular department of the street commissioner's office and it is not the purpose to employ large numbers of men merely for political effect. An examination of the payrolls of the street commissioner's department will demonstrate that it has never been the purpose of the administration to unnecessarily "pad" these rolls just previous to an election. It was not done a year ago in the general election and it has not been done at this time. A pledge against this policy was made two years ago and that pledge has been kept, and all work upon streets has been pushed in the spring and summer in a manner to secure the greatest possible return for the money expended, and not with an eye to the advancement of the political fortunes of any party. I have the honor to remain,

Yours respectfully,

C. A. BOOKWALTER,

Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM STANDING COMMITTEES.

Mr. Sourbier, on behalf of Committee on Elections, to which was referred G. O. No. 60, 1903: An ordinance adopting

the use of voting machines and authorizing same to be used in certain precincts in the city election to be held October 13, 1903, fixing the boundaries of the precincts in which they are to be used, and fixing the time when this ordinance shall take effect.

Made the following report:

INDIANAPOLIS, September 30, 1903.

Mr. President:

We, your Committee on Elections, to whom was referred G. O. No. 60, 1903, beg leave to report that we have had said ordinance under consideration and recommend that same do pass.

J. H. CRALL.
J. E. BERRY.
ED. G. SOURBIER.

Which was read and, on motion of Mr. Sourbier, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 59, 1903: An ordinance ordering and directing the levy of an annual tax, and fixing the rate of levy and taxation for the city of Indianapolis, for the year 1904, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, September 28, 1903.

Mr. President:

Your Committee on Finance, to whom was referred G. O. No. 59, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE.
LEW W. COOPER.
B. F. WYSONG.
J. H. CRALL.
FRED W. EPPERT.

Which was read and, upon motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred App. O. No. 17, 1903: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the city of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1904, and ending December 31, 1904, including all outstanding claims and obligations which become due and payable within said period and fixing a time when the same shall take effect.

Made the following report:

INDIANAPOLIS, September 29, 1903.

Mr. President:

Your Committee on Finance, to whom has been referred App. O. No. 17, 1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE.
LEW W. COOPER.
FRED W. EPPERT.
B. F. WYSONG.
J. H. CRALL.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 49, 1903: An ordinance grading certain members of the fire force of the city of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

Made the following report:

INDIANAPOLIS, September 30, 1903.

To the President and Members of the Common Council:

Gentlemen—Your committee, to whom was referred G. O. No. 49, 1903, recommend that said ordinance be amended by striking out all after the words, "City of Indianapolis," on the first line of Section one, and inserting in lieu thereof, the following:

That the members of the fire force of the city of Indianapolis, holding the positions of Stokers, Drivers, Hosemen, Laddermen, Linemen, Tower Watchmen, Telephone Operators, Chief Clerk, Coal Wagon Drivers and Supply Wagon Drivers, are hereby graded according to their length of service, into three grades, as follows, viz:

All the aforesaid members who shall have served two years at the time this ordinance shall take effect shall constitute the First Grade; all who have served one year shall constitute the Second Grade; and those who have served less than one year shall constitute the Third Grade: Provided, That all regular members of such department now serving as such firemen, under the appointment of the Board of Public Safety prior to the passage and taking effect of this act, shall be considered members of the Second Grade, and shall draw pay at the same rate herein provided for the member of such grade. Service for one year in either the Second or Third Grade shall entitle any member to advancement to the next higher grade: Provided, That persons who shall be appointed as regular members of said fire force after serving a full year or more as substitute firemen or members of the Third Grade, shall become members of the Second Grade.

Sec. 2. Each member of the First Grade shall receive a salary at the rate of nine hundred and twelve dollars and fifty cents per annum, payable in equal monthly installments.

Each member of the Second Grade shall receive a salary at the rate of eight hundred and twenty-one dollars and twenty-five cents per annum, payable in equal monthly installments.

Each member of the Third Grade shall receive a salary at the rate of seven hundred and thirty dollars per annum, payable in equal monthly installments.

Substitute firemen shall receive a salary of four hundred and eighty dollars per annum, payable in equal monthly installments.

The chief clerk shall receive a salary of ten hundred and twenty dollars per annum, payable in equal monthly installments.

Sec. 3. The annual pay of the officers and members of said fire force, not provided for in Section 2 above, shall be as follows, viz:

The chief of the fire force shall receive a salary at the rate of two thousand two hundred dollars per annum.

The first assistant chief of the fire force shall receive a salary at the rate of fourteen hundred dollars per annum.

The second assistant chief of the fire force shall receive a salary at the rate of thirteen hundred and twenty dollars per annum.

The superintendent of telegraph shall receive a salary at the rate of fourteen hundred dollars per annum.

Each captain shall receive a salary at the rate of one thousand and twenty dollars per annum.

Each engineer shall receive a salary at the rate of one thousand dollars per annum.

Sec. 4. The salaries and compensations enumerated in and provided for in the foregoing sections of this ordinance shall be paid out of the funds of the city treasury appropriated for such purpose, at the time and in the manner provided by law.

Sec. 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 6. This ordinance shall be in full force and effect from and after the 1st day of January, 1904, after its passage by the Common Council and approval by the Mayor of said city of Indianapolis, Indiana.

And that when so amended that said ordinance do pass.

T. A. WYNNE,
Chairman.
LEW W. COOPER,
B. F. WYSONG,
J. H. CRALL,
J. E. BERRY,
JAMES D. MORIARITY,
FRED W. EPPERT.

Committee.

Which was read and, on motion of Mr. Wynne, concurred in.

Mr. Wynne, on behalf of Committee on Finance, to which was referred G. O. No. 57, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing the time when the same shall take effect.

Made the following report:

INDIANAPOLIS, September 28, 1903.

Mr. President:

Your Committee on Finance, to whom was referred G. O. No. 57,

1903, beg leave to report that they have had same under consideration and recommend that same do pass.

T. A. WYNNE.
LEW W. COOPER.
B. F. WYSONG.
J. H. CRALL.
FRED W. EPPERT.

Which was read and, on motion of Mr. Wynne, concurred in.

ORDINANCES ON SECOND READING.

On motion of Mr. Sourbier, the following entitled ordinance was taken up and read a second time:

G. O. No. 60, 1903: An ordinance adopting the use of voting machines and authorizing same to be used in certain precincts in the city election to be held October 13, 1903, fixing the boundaries of the precincts in which they are to be used, and fixing the time when this ordinance shall take effect.

On motion of Mr. Sourbier, G. O. No. 60, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 18, viz.: Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

G. O. No. 59, 1903: An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the city of Indianapolis, for the year 1904, and fixing the time when the same shall take effect.

Mr. Berry offered the following motion:

INDIANAPOLIS, September 30, 1903.

Mr. President:

I move that G. O. No. 59 be amended as follows in Section 1, by striking out seventy-eight cents (78c) and insert seventy-five cents (75c) in lieu thereof.

J. E. BERRY.

Mr. Wynne moved to lay Mr. Berry's motion on the table.

Which motion was carried by the following vote:

Ayes, 11, viz.: Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wynne, Wysong, and President Billingsley.

Noes, 7, viz.: Messrs. Berry, Kelly, Moriarity, Shea, Wahl, Warweg and Wheeler.

On motion of Mr. Wynne, G. O. No. 59, 1903, was then or-

ordered engrossed, read a third time, and passed by the following vote :

Ayes, 18, viz. : Messrs. Berry, Cooper, Crall, Eppert, Holliday, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time :

Appropriation Ordinance No. 17, 1903: An ordinance appropriating moneys for the purpose of defraying current expenses of the city government of the city of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal years, beginning January 1, 1904, and ending December 31, 1904, including all outstanding claims and obligations which become due and payable within said period and fixing a time when the same shall take effect.

On motion of Mr. Wynne, App. O. No. 17, 1903, was then ordered engrossed, read a third time and passed by the following vote :

Ayes, 13, viz. : Messrs. Cooper, Crall, Eppert, Holliday, McFarland, Negley, Rhodes, Sourbier, Wahl, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 5, viz. : Messrs. Berry, Kelly, Moriarity, Shea and Warweg.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time :

G. O. No. 49, 1903: An ordinance grading certain members of the fire force of the city of Indianapolis, Indiana, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employes of said force; repealing conflicting ordinances, and fixing the time when, and conditions under which, this ordinance shall take effect.

Mr. Crall moved that G. O. No. 49, 1903, be amended as recommended by committee report.

Which motion prevailed.

On Motion of Mr. Wynne, G. O. No. 49, 1903, was then ordered engrossed, as amended, read a third time, and passed by the following vote :

Ayes, 17, viz. : Messrs. Berry, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Shea, Sourbier, Wahl, Warweg, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 1, viz. : Mr. Holliday.

Mr. Berry moved to adjourn, which motion was lost by the following vote :

Ayes, 6, viz. ; Messrs. Berry, Moriarity, Shea, Wahl, Warweg and Wheeler.

Noes, 12, viz. : Messrs. Cooper, Crall, Eppert, Holliday, Kelly, McFar-

land, Negley, Rhodes, Sourbier, Wynne, Wysong, and President Billingsley.

On motion of Mr. Wynne, the following entitled ordinance was taken up and read a second time:

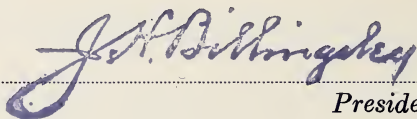
G. O. No. 57, 1903: An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works, and fixing the time when the same shall take effect.

On motion of Mr. Wynne, G. O. No. 57, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 13, viz.: Messrs. Cooper, Crall, Eppert, Holliday, Kelly, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wynne, Wysong, and President Billingsley.

Noes, 5, viz.: Messrs. Berry, Moriarity, Shea, Wahl and Warweg.

On motion of Mr. Sourbier, the Common Council at 8:30 o'clock p. m., adjourned.


.....

President.

ATTEST:


.....

City Clerk.

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, October 5, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 5, 1903, at 8:00 o'clock, in regular meeting.

Present, James H. Billingsley, President of the Common Council in the chair, and 13 members, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler and Wysong.

Absent, 7, viz.: Messrs. Holliday, Meyer, Shea, Spray, Wahl, Wolsiffer and Wynne

The Clerk proceeded to read the Journal, whereupon Councilman Berry, moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis.

INDIANAPOLIS, September 25, 1903.

To the President and Members of the Common Council:

I have this day signed and approved the following ordinances and resolutions:

Appropriation Ordinance No. 16—1903: "An ordinance appropriating \$93.15 to pay a certain claim."

General Ordinance No. 56—1903: "An ordinance approving a certain contract, granting the Indianapolis Union Ry. Co. the right to lay and maintain a switch or side-track across the first alley East of Rural St., running North from Roosevelt Ave., in the City of Indianapolis."

General Ordinance No. 55—1903: "An ordinance transferring certain funds to certain funds from appropriations heretofore made for the fire force of the Department of Public Safety, and fixing a time when the same shall take effect."

Resolution No. 10—1903: "A resolution declaring and appointing election inspectors for the several precincts in the City of Indianapolis, to serve at the election to be held in said City on the 13th day of October, 1903."

Resolution No. 11—1903: "A resolution authorizing the City Comptroller to pay the City Clerk the sum of \$300.00 for preparing the index to Journal of Common Council Proceedings from October 10th, 1901, to October 5th, 1903."

C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

His Honor, the Mayor, presented the following communication:

EXECUTIVE DEPARTMENT,
City of Indianapolis.

INDIANAPOLIS, INDIANA, October 2, 1903.

To the President and Members of the Common Council:

I have this day signed and approved the following ordinances:

General Ordinance No. 49—1903: "An ordinance grading certain members of the fire force of the City of Indianapolis, fixing the compensation of the members belonging to the several grades by their length of service; fixing the annual pay of certain officers and employees; repealing conflicting ordinances, etc."

Appropriation Ordinance No. 17—1903: "An ordinance appropriating moneys for the purpose of defraying expenses of the City government of the City of Indianapolis, Indiana, and for the use of the several departments thereof, for the fiscal year beginning January 1st, 1904, and ending December 31st, 1904, including all outstanding claims and obligations which become due and payable within said period, and fixing a time when the same shall take effect."

General Ordinance No. 57—1903: "An ordinance transferring certain funds to certain funds from appropriations heretofore made for the use of the Department of Public Works."

General Ordinance No. 59—1903: "An ordinance ordering and directing the levy of an annual tax and fixing the rate of levy and taxation for the City of Indianapolis for the year of 1904."

General Ordinance No. 60—1903: "An ordinance adopting the use of voting machines and authorizing the same to be used in certain precincts in the City election to be held October 13th, 1903, fixing the boundaries of the precincts in which they are to be used; and fixing the time when this ordinance shall take effect."

Very truly yours,
C. A. BOOKWALTER,
Mayor.

Which was read and ordered spread on the minutes.

REPORTS FROM STANDING COMMITTEES.

Mr. Negley, on behalf of Committee on Judiciary, to which was referred G. O. No. 16, 1903: An ordinance to make it the duty of the City of Indianapolis, Indiana, to deliver a certified copy of all penal ordinances hereafter passed by the Common Council and approved by the Mayor, as soon as such ordinances shall have been approved.

Made the following report:

INDIANAPOLIS, INDIANA, October 5th, 1903.

Mr. President:

We, your Committee on Judiciary, to whom was referred G. O. No. 16, 1903, beg leave to report that we have had said ordinance under consideration, and recommend that said ordinance do pass.

H. E. NEGLEY.

M. C. KELLY.

J. L. MCFARLAND.

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Negley, on behalf of Committee on Judiciary, to which was referred G. O. No. 52, 1903: An ordinance repealing vehicle ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general vehicle ordinance providing a license on all vehicles, approved November 27, 1893.

Made the following report:

INDIANAPOLIS, INDIANA, October 5th, 1903.

Mr. President:

We, your Committee on Judiciary, to whom was referred G. O. No. 52, 1903, beg leave to report that we have had said ordinance under consideration, and we recommend that it do pass.

Respectfully submitted,

H. E. NEGLEY.

M. C. KELLY,

J. L. MCFARLAND.

Which was read and, on motion of Mr. Negley, concurred in.

Mr. Eppert, on behalf of Committee on Railroads, to which was referred G. O. No. 58, 1903: An ordinance approving a certain contract granting A. Minter the right to lay and maintain a switch or sidetrack across Georgia and California streets in the City of Indianapolis, Indiana.

Made the following report:

INDIANAPOLIS, INDIANA, October 5th, 1903.

Mr. President:

Your Committee on Railroads, to whom was referred G. O. No. 58, have had same under consideration, and recommend that same do pass.

FRED W. EPERT.

B. F. WYSONG.

W. H. WHEELER.

ED G. SOURBIER.

Which was read and, on motion of Mr. Eppert, concurred in.

Mr. McFarland stated that Committee on Sewers, Streets and Alleys, to which was referred G. O. No. 24, 1903: An ordinance regulating the speed of electric street cars:

Had been unable to agree upon a report, and returned same to the Council.

Mr. Cooper moved to lay G. O. No. 24, 1903, on the table.

Which motion was lost by the following vote:

Ayes, 3, viz.: Messrs. Cooper, Rhodes and Warweg.

Noes, 11, viz.: Messrs. Berry, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Sourbier, Wheeler, Wysong, and President Billingsley.

MISCELLANEOUS BUSINESS.

President Billingsley offered the following communications:

INDIANAPOLIS, INDIANA, October 5th. 1903.

To the President and Members of the Common Council, City:

Gentlemen: I have the pleasure to present to you a new street and alley map of greater Indianapolis.

This map was approved by the Board of Public Works, September 9th, 1903.

I have agreed to keep the original map up to date for the Board of Public Works, semi-annually. I also agree to keep this map up to date for the Common Council, with all street changes, etc., made from time to time, free of charge.

Trusting that you will accept this with my compliments, I remain,

Very respectfully yours,

THOS. W. PALMER,

County Draughtsman.

SURVEYOR'S OFFICE,
Marion County.

INDIANAPOLIS, INDIANA, October 5th, 1903.

To whom it may concern:

Having examined street and alley map of Indianapolis made by Thos. W. Palmer, will say it is the most accurate and complete of any ever made of Indianapolis.

Respectfully,

HENRY W. KLAUSMANN,

Surveyor Marion County, Indiana.

Which were read.

Mr. Negley offered the following resolution:

Resolution No. 12—1903: Whereas, Thomas W. Palmer, draughtsman, has presented this Common Council with an up to date and corrected wall map of the City of Indianapolis, to be used by this body in the transaction of the City's business; and agrees to keep said map corrected up in the future free of charge; now, therefore,

Be it resolved, by the Common Council of the City of Indianapolis, Indiana, that said map is now accepted on behalf of said City, and this body tenders its thanks to Mr. Palmer therefor.

H. E. NEGLEY.

Which was read and adopted by the following vote:

Ayes, 14, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wysong, and President Billingsley.

Noes: None.

Mr. Negley offered the following resolution:

Resolution No. 13—1903: Whereas, changes have become necessary in the list of Election Inspectors for the City Election to be held on October 13th, 1903, in the City of Indianapolis, Indiana, as set out in Resolution No. 10, 1903; now, therefore,

Be it resolved, by the Common Council of the City of Indianapolis, Indiana, that the following names be substituted in the following named and designated precincts, as Election Inspectors in and for said precincts; and the following named qualified electors are hereby appointed Election Inspectors in said precincts, to-wit:

FIRST WARD.

PRECINCTS.	NAME.	ADDRESS.
2.	John Renn.	2712 N. Olney St.

SECOND WARD.

12.	Chas. Remy.	1603 Park Ave.
13.	Chas. P. Doney.	1631 N. New Jersey St.

THIRD WARD.

16.	Jas. C. Dickson.	912 N. Capitol Ave.
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FOURTH WARD.

1.	Frank Alley.	3715 Central Ave.
2.	Oscar Macy.	3427 Senate Ave.
7.	S. L. Montgomery.	931 W. 31st St.
8.	A. W. Black.	1109 W. 30th St.
15.	Thos. Bowman.	518 W. 13th St.

SEVENTH WARD.

16.	Edw. C. Dickman.	125 N. East St.
17.	Geo. Anderson.	331 E. Market.

EIGHTH WARD.

7.	Charles E. Coffin.	Central Trust Co.
11.	G. E. Mayfield.	1205 Bellefontaine St.
15.	James R. Sharp.	908 N. Alabama St.
8.	Albert Coffin.	931 N. Delaware St.

TENTH WARD.

8.	Geo. W. Bone	1413 Lexington Ave.
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ELEVENTH WARD.

5.	I. N. Cotton.	213 E. Washington St.
15.	Frank Elf.	618 Prospect St.

TWELFTH WARD.

4.	Rufus Phillips.	610 W. Pearl St.
13.	W. H. Burk.	815 Maple St.

THIRTEENTH WARD.

5.	Jerry Webster.	123 Wisconsin St.
9.	Thos. F. Quill.	1118 Wright St.
12.	John Boettcher.	1429 Hendricks St.
13.	Fred W. Marschke.	1827 Barth Ave.

FIFTEENTH WARD.

3.	Chas. White.	426 N. Warman Ave.
5.	Harvey Harris.	1912 Wilcox St.
6.	M. B. Stratton.	1515 W. New York St.

H. E. NEGLEY.

Which was read and adopted by the following vote:

Ayes, 14, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wysong, and President Billingsley.

Noes: None.

ORDINANCES ON SECOND READING.

On motion of Mr. Berry the following entitled ordinance was taken up and read a second time:

G. O. No. 24, 1903: An ordinance regulating the speed of electric street cars.

On motion of Mr. Berry, G. O. No. 24, 1903, was then ordered engrossed, read a third time, and failed of passage by the following vote:

Ayes, 6, viz.: Messrs. Berry, Crall, Eppert, Kelly, Moriarity, and President Billingsley.

Noes, 8, viz.: Messrs. Cooper, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler and Wysong.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 16, 1903: An ordinance to make it the duty of the City Clerk of the City of Indianapolis, Indiana, to deliver a certified copy of all penal ordinances hereafter passed by the Common Council and approved by the Mayor, as soon as such ordinances shall have been approved.

On motion of Mr. Negley, G. O. No. 16, 1903, was then ordered engrossed, read a third time and passed by the following vote:

Ayes, 14, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wysong, and President Billingsley.

Noes, none.

On motion of Mr. Eppert, the following entitled ordinance was taken up and read a second time:

G. O. No. 58, 1903: An ordinance approving a certain contract granting A. Minter the right to lay and maintain a switch or sidetrack across Georgia and California streets in the city of Indianapolis, Indiana.

On motion of Mr. Eppert, G. O. No. 58, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 11, viz.: Messrs. Berry, Cooper, Crall, Eppert, McFarland, Negley, Rhodes, Sourbier, Wheeler, Wysong, and President Billingsley.

Noes, 3, viz.: Messrs. Kelly, Moriarity and Warweg.

On motion of Mr. Warweg, the following entitled ordinance was taken up and read a second time:

G. O. No. 61, 1903: An ordinance giving the name of "Marlowe avenue" to the first alley north of Ohio street, extending from Dorman street to Harvey street.

The original ordinance not being in Council, Mr. Negley moved that same be read from the printed Council Proceedings.

Which motion prevailed.

On motion of Mr. Warweg, G. O. No. 61, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

Ayes, 14, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wysong, and President Billingsley.

Noes, none.

On motion of Mr. Negley, the following entitled ordinance was taken up and read a second time:

G. O. No. 52, 1903: An ordinance repealing vehicle ordinance, providing a license or tax on all public vehicles, approved March 1, 1880, and all other ordinances in conflict with general vehicle ordinance providing a license on all vehicles, approved November 27, 1893.

On motion of Mr. Negley, G. O. No. 52, 1903, was then ordered engrossed, read a third time, and passed by the following vote:

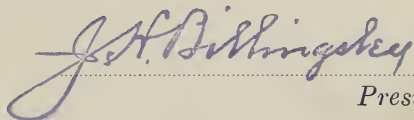
Ayes, 14, viz.: Messrs. Berry, Cooper, Crall, Eppert, Kelly, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wysong, and President Billingsley.

Noes, none.

Mr. Crall moved that the Council tender its thanks to President Billingsley, Clerk Elliott, Deputy Clerk Kaiser, Bailiff Dawson, and the press, for courtesies extended during the past two years.

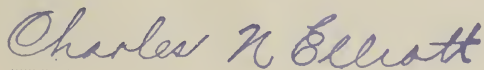
Which motion was unanimously adopted.

On motion of Mr. Berry, the Common Council at 8:30 o'clock p. m., adjourned.



President.

ATTEST:



City Clerk.

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS,

MONDAY, October 12, 1903.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, October 12, 1903, at 1:00 o'clock, in special session, pursuant to the following call:

Indianapolis, October 12, 1903.

C. N. Elliott, City Clerk:

Sir: You are hereby notified that there is hereby called a special meeting of the Common Council of the city of Indianapolis, to be held in the Council Chamber of said city, Monday, October 12, 1903, at 1 o'clock p. m., for the purpose of substituting inspectors to fill vacancies for those heretofore elected.

J. H. BILLINGSLEY,

President Common Council.

I, Charles N. Elliott, Clerk of the Common Council, do hereby certify that I have served above notice upon the President and each member of the Common Council prior to the time of meeting, pursuant to the rules.

CHARLES N. ELLIOTT,

City Clerk.

Present, Hon. James H. Billingsley, President of the Common Council in the chair, and 12 members, viz.: Messrs. Cooper, Eppert, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne and Wysong.

Absent, 8, viz.: Messrs. Berry, Crall, Holliday, Kelly, Meyer, Shea, Spray and Wahl.

MISCELLANEOUS BUSINESS.

Mr. Negley offered the following resolution:

Resolution No. 14—1903: Whereas, changes have become necessary in the list of Election Inspectors for the city election to be held on October 13, 1903, in the City of Indianapolis, Indiana, as set out in Resolution X, Numbered 10, 1903, and 13, 1903; now therefore,

Be it resolved, by the Common Council of the City of Indianapolis, Indiana, that the following names be substituted in the following named

and designated precincts, as Election Inspectors in and for said precincts; and the following named qualified electors are hereby appointed Election Inspectors in said precincts, to-wit:

FIRST WARD.

- 1st Precinct, Isaac W. McConnell, 2424 Station Street.
3d Precinct, Gus Carlson, 2220 Cushing Street.
14th Precinct, William Avery, 2310 East 12th Street.

SECOND WARD.

- 2d Precinct, Newton J. McGuire, 2706 Ashland Avenue.
13th Precinct, William A. Taylor, 1606 Central Avenue.

SIXTH WARD.

- 6th Precinct, George E. Hume, Meridian and Michigan Streets.

SEVENTH WARD.

- 15th Precinct, C. A. Shoemaker, 22 North Noble Street.

TENTH WARD.

- 1st Precinct, James F. Gregg, 22 South Tuxedo Street.
17th Precinct, Perry Haggard, 2217 Shelby Street.

THIRTEENTH WARD.

- 11th Precinct, Austin Daugherty, 1518 Barth Avenue.
12th Precinct, James Kimble, 2103 Webb Street.

FOURTEENTH WARD.

- 6th Precinct, H. O. Sheets, 1214 Blaine Avenue.

FIFTEENTH WARD.

- 11th Precinct, Harry Evans, 742 Germania Avenue.

Which was read and adopted by the following vote:

Ayes, 13, viz.: Messrs. Cooper, Eppert, Moriarity, McFarland, Negley, Rhodes, Sourbier, Warweg, Wheeler, Wolsiffer, Wynne, Wysong, and President Billingsley.

Noes: None.

On motion of Mr. ———, the Common Council at 1:30 o'clock p. m., adjourned.

J. H. Billingsley

President.

ATTEST:

Charles N. Elliott

City Clerk.

